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Hay's detachment; the Hakim (Governor) of Balian goes out to-morrow with horse; Mahomed Ali Beg and Khilich Beg also proceed thither, the former in the Dan-lan-i-Shibcen and Kanur'd, and the latter accompanying our party, (captain Garbett) by the Dosh-i-Sufait. There were some 50 or 60 Uzbek horse in the skirmish; these men belong to the Mir Wallee, but it is not known whether sent under his orders or not. Baba beg, Ajuree, seems to be the prime mover in it and Soola Beg has no doubt lent his aid to him in a certain degree; however Beg, who is still firm to us, confidently states that the former chief is prepared that fort, from which Baba Beg's Ajurees attacked our men. In a day or two I am able to give you some intelligence of the proceedings at Kanur'd. The Dost is at Tash Koorghaw, but it does not appear that he has had any hand in the late successes. The two 6-pounders arrived here at noon this-day, they left Samian, on the 1st, and marched to Akrobat, 15 miles (ascending) crossing a pass, and to-day marched 15 miles (descending) the Akrobat pass, 3 miles in extent, being crossed at the summit of the stage. The road from Bannean to this, was a short time since impassable for Artillery, but Lieut. Broadfoot (1st European Regiment) with his Hazarah Pikemen in a short period, made a capital gun-road, of the excellency of which, no better example is required than the pace at which the guns came considering the nature of the

"August 18th.—I am sorry to say, that affairs are not in the hands of Sula Beg, as I told you before, met our Political; he came to his neck, the usual form of submission—and his life. Kalo, was admitted into the forts to hold them for us, at his own country, but Sula Beg remained in the forts. But he was acting under orders of the Wallie. This assertion of a chief belonging to the latter having taken part in Baba Beg's country, of a brother of the Meer. I doubt on the subject. At the same time that we also heard, that the Meer Wallee had arrived, the evening news reached us, that Moorad had arrived, we learnt from Dr. Lenz, who was the bearer of the information is from a good source and very pleasing: a regiment of infantry and a battery of guns, the power of these two chiefs, aided by the reinforcements I told you reinforcements were on the road, such reinforcements anywhere but near us. A regiment of Infantry, and 4 guns, named by Dost Mahomed. You will have heard, ere this, of the misadventure of each those in power, the impolicy of trusting Agha, a short distance from their old chief, perhaps a temptation in their way. A false step was made at Rajgah. It was a rash proceeding: we attempted to occupy posts not strong enough to occupy them posts and

consideration, and the consequence is, that on the first outbreak, our weakness, not only to ourselves, but, unfortunately, to those around us. I hear, Saunders is on his way from Herat, in order to advise, touching the best method we may capture that fortress. A year ago, this would have been no great matter; but unfortunately our people have dug a capital ditch. However, such for the truth of the story about Herat, but such is said to be the

Reservative has again made his appearance; I have not time, however, to discuss it at present.

19th.—Moolah Waller Shah (minister of the Mir Walloo) and Gholaum Bamean, w. Lord. The first named has written to his chief, advising him to hostile proceedings. It is said, that the late outbreak was caused, by an arrangement, that Gholaum Beg was forcibly detained and ill-treated in the agency declared, that this was the cause of their violent proceedings; in the case, it is probable, that the news of his son's safe arrival at Bamean, may settle it.

21st.—“Nothing decisive has occurred since I last wrote, but matters are, I think, going to a crisis. Gholaum Beg and Moolah Waller Shah have been dismissed by the Government at Bunian; they being Ambassadors, of course their detention was out of the question. They left the high road, and struck across the hills from Akro-
 — post of Sygham; they are now awaiting the Mir Walloo's
 Beg, Ajuree. It is now believed that Moolah Beg has
 able as the Meer of Koonloor is a cautious man, and
 until it has been successful (partially). The Dost, it is
 a worst feature; our Afghan soldiers would no doubt
 if Dost Mahomed appears in the ranks of our
 do not think the Afghans would fire a shot
 likely that they would desert our standards.
 been agreed to, of which about five or
 time I hope we shall be in sufficient
 do not think such a step would be
 speaks of a detachment, under Cap-
 which commanding, as it does, the only
 importance.” The fort, here mentioned,
 says that it has not the importance formerly
 across the Kara Kotul, upon Koonoor, Surbagh,
 heels, while the road from Kamurd, through
 running on Muzir Shuruf, has been traversed
 it has been that route a few years back. All
 Beg, have come by this western route; these
 command the only road into Turkistan. The
 lightest gun, in closing the various roads. An
 without going near Raigh:

assume the initiative; we can then cross the pass, and attack successively Kamurd and Bunjak. That we are at present strong enough to deal with the petty chiefs, and take their forts, cannot be denied; but we should have to contend with not only Sulaiman the Ajures, but with the Wallee and the Dost. The Usbeks would not meet us in the open level ground, but would crown the hills, from whence they could do us much injury, while we, owing to our numerical weakness, could scarcely drive them from the advantageous ground, at the same time that we attacked the forts. There can be no doubt that a great mistake was committed in occupying Bujrah; it remains to be seen whether the error will be perpetuated. At present it would have a disastrous effect, were the regiment to retire; but the first opportunity should be taken of withdrawing with honour.

Captain Hopkins, with the remainder of his regiment and four guns, is close at hand, but I do not think we shall gain much by his arrival. The Afghans are not soldiers under any other circumstances, I should feel the utmost confidence in them; but it is not wise to tempt them; they have been but a short time in our service, and it is hardly fair to expect them to oppose one, who was so lately their chief. Such is my present opinion. I need hardly say that I shall be sincerely rejoiced to find that I am mistaken.

It is not two months since I announced to you the arrival of Nuwan Jubbar Khan, and of the uniform success, which had, up to that time, attended our political in Southern Turkistan. I fear that the late unfortunate occurrences will have the effect of destroying all influence, we may have once possessed; and thus the work will require to be done over again. And this is the effect of a single false move! Greediness of empire is our bane."

Syghan, September 1st.—Bujrah was attacked by the Usbeks at 6 o'clock on the morning of the 31th. The hills were crowned by some 300 footmen; and about 500 Usbeks came down the valley among whom were Mahomed Afsul Khan, Ghulam Beg and Abdullh Wallee Shah. The Gorkhals mounted the hills and drove back the footmen without sustaining any loss, while Lt. Rattray (the Political agent) led out about 200 Afghans to charge the Usbeks, who soon went to the right about. I cannot tell you what loss the enemy sustained, but 15 prisoners and about 100 horses or yabaks were taken. The affair lasted but a short time, and our loss was most trifling: 3 Afghans being killed and 12 wounded. Thus far all went well. The Kamardies, once repulsed, were not likely to attack a second time; but soon after the fight, intelligence was received of the fall of Helbuk, and of the flight of Mir Baha B. of Sirbigh. This officer has been our staunchest friend since our arrival in the country; he held out his post against Dost Mahomed Khan, and the Wallee, but the gate was opened by some of the Ozbeks, and the Mir escaped with three sowars, and he threw himself into Sarbigh, which belongs to Mir Sophi Beg (his brother), who has been with us for sometime. This post cannot offer much impediment to the Dost's advance; it is exceedingly doubtful, whether the Garrison will hold out a single day; the post of Bujrah is positively untenable against numbers, as the Gorkhals would not be able to clear the hill if strongly occupied. Such being the case, it was considered advisable to fall back upon D. Khan, while such a movement could be effected with safety, that is, before the arrival of the Dost, with the Mir Wallee's forces. The regiment accordingly fell back yesterday, and the march was accomplished without any loss, except of private property and some tents, and a few pack animals necessarily abandoned from want of carriage. They left Bujrah about day break, and were met by Mir Syed Mahomed (this gentleman is our friend, fired upon the regiment yesterday).

ut, without a drop of water on the road. Through the whole ascent, scattered groups of the enemy, perched upon the heights around, continued to fire upon the Goorkahs, who, never, reached the foot of the pass and were killed some 6 miles from Sar-i-Sung; not a single man was lost during the march, but their suffering from the pass from want of water was great. The conduct of the Goorkahs on the 30th and following day has, in no degree, added to their reputation. The Afghans too, both horse and foot, behaved withantry, and seemed by no means intent to meet the enemy, although Afzel Khan, the chief's son was among their number.

On the 31st, Captain Hopkins arrived at Sar-i-Sung with his regiment; Captain Hart's corps of Jaunbazi (Afghan horse) and 2 6-pounders of the Shah's; and to-day the Goorkah Battalion arrived from their bivouac, and Naib Zulfubhah Khan (Governor of Peshawar) brought in 200 horse. With this force, and 2 6-pounders H.A., it is intended to cross the Dandan-i-Shiban and attack Kamurd, if possible, before the arrival of the two chief's sons from the north.

Bamian, Sept. 5.—We have been obliged to fall back upon this place; so much for our advance into Toorkistan. The troops marched to the foot of the Dandan-i-Shiban on the morning of the 2d, with the exception of the Goorkah Corps, which it was intended should move in the evening; but now arrived in the course of the day, that Muzul Beg was going to join the Dost; this altered our plans, as it would have been a bad thing to allow ourselves to be caught in the Kamurd valley. We left Syghan with four days' food, which would have given us time to take the forts, but had we found them empty we should have been forced; a retreat across the Dandan-i-Shiban would have been impracticable. On the 3d we returned to Syghan, but stopping there was out of the question, from want of grain; the valley yields nothing and we could not have kept open our communication with Bamian. The scene of confusion at Syghan was dreadful: the Afghan Infantry could not be kept under control; a party seized them, they left their colours and rushed off to the Akrobat road; they did not go far however, but commenced firing upon the hills, for their amusement, I presume. Captain Hopkins went after them, and induced about 300 to return; and about 11 1/2 a. m. we commenced our march, and reached Akrobat without suffering any loss, or molestation. The Jaunbazi behaved excellently well, and kept the rear. The passage of the Akrobat pass occupied much time, and the last gun did not reach Akrobat till 2 1/2 a. m. On the 4th, about sun-rise, we started again, and reached Bamian without loss of anything of consequence, all our ammunition and treasure being saved; but of private property, the loss was considerable, from want of carriage. The Afghans too, whenever they found any baggage unguarded, plundered it, even the property of their own Captain. We have distributed these unpleasant allies (?) of ours among different forts in the neighbourhood, and our lines are occupied by our own men; so we have little to fear. The worst is, that we have very little grain; however the crops are all ripe, and if the enemy give us a little time, we shall have all right. The Jaunbazi seems well disposed, and have behaved very well indeed up to this time; they kept the rear for two days, which is a duty by no means agreeable to Afghans. They are well under control, but the Infantry are quite disorganised at present and quarrels between them are constantly occurring. Lord wrote for a brigade, sometime since, and the 35th were then ordered out, but unfortunately—hope, however that reinforcements will be sent soon. The only thing, I fear, is that the

Sar-i-Sung has been given to Dostut Beg, son of Mir Mahomed Ali Beg, and I believe the old chief is likewise in the fort. They promise to hold it out for us. They have no mercy to expect from the Mir Walle, so there is some chance of their doing so. Yesterday, Masoom Beg, brother of the Walle, went to Syghan and summoned the hoo, but he got fired on for his pains, so he went back to the Dush-i-Safaid. Khilich Beg hah, I fancy, turned against us. This was to be expected, and that the example will be followed by nearly all, I have little doubt; but the Fouladi Hazarehs and Baroian-hies are behaving well. Mir Mobeb and Shah Nusser of Fouladi, voluntarily escorted Lord's baggage from Syghan, and some Bam achies have just brought in two of our people, who were boned at Akrobat, and whom they succeeded in liberating.

Bamian, Sept. 10.—Matters are progressing, but as yet we have not been attacked. I cannot tell you exactly where the Dost is at present, but he is not very far off. Yesterday, it is believed, his advance guard was at Syghan, so we may expect him soon. The 35th started on the 8th and may be here in 3 or 4 days. A strange illness seems prevalent in Candahar that the Dost will not come here, but that he will advance by the Ghorebund pass. Fouladi Beg has not joined the Amers; the advance guard amounts to 4,000, or more. Last night one company of Afghans deserted boldly, we knew nothing of it until they had passed Soorukdhurrah, some 5 miles hence; however, we have not one of the rascals inside our works, so they cannot do us much harm.

Meer Baz Ali, (a Hazareh chief of Bamsi, came in to Lord a few days since; also news from the Sheikh Ali and Shahr Hazarehs; the Fouladi people too appear friendly, all Mir Mobeb and Shah Nusser: the fact is, the Hazarehs hate the Uzbeks and have no particular friendship for the Dost. So I think we may reckon on them, and we are calm.

I hope this retreat will act as a warning to the Politicals; nothing can be more important than the uttering of our army, placing our detachments far apart in a difficult country, where assistance can scarcely reach them, and whence retreat is dangerous. I have yet to learn for what purpose Rajgah was occupied by our troops; that evil has been the result, it needs no argument to shew.

Bamian, Sept. 12. The reports, which we receive of the enemy's movements are most contradictory. On the 10th (afternoon) we heard that the Dost had not reached Dooab at noon on the 8th; in the middle of the night, a messenger came in from Akrobat to tell us that the Amers had taken Syghan that day (the 10th). Yesterday and to-day, we have received various information, so as saying he is at Syghan with his army, varying in number from 2,000 to 30,000, while others say, that he is still in the Kamul valley. One of the Afghan deserters returned to us this morning; he says, there is no one at Syghan, but that they are all at Kamul and Rajgah, and that they have 3 guns with them drawn by 50 bullocks. We, of course, place no dependence on the various rumours; it does not matter to us much, where the man is, as we are ready for him, whenever he may choose to make his appearance. His force at the utmost may be between 4,000 and 5,000, with one or two small guns. The 35th, under Brigadier Dennis, will arrive in the eve of to-morrow.

Bamceen Sept 15—The 35th arrived here yesterday, having made the distance from Cabul in nine marches, averaging 12 miles and a fraction a day. The ex-Ameer was also to have arrived yesterday, but he did not keep his appointment. Our intelligence department is not in the best possible order; we know little of the movements 37 miles ahead. The Dost is supposed to have reached Syghan on the 12th or 13th, but we know nothing certain, except that he is not at Bamceen; he seems to be undecided as to what he had best do; he writes from Kamurd to Najib Zoolfikker Khan—"For God's sake tell me the news!—will the Feringees run or fight?" In a letter which he wrote to the Subdars of the Afghan Corps, he said, that all Toorkistan had joined him, and that he had 40,000 men. In another to the Nib, he requested that gentleman (who, by the way, appears to be faithful) to give the subject, (viz. embracing the holy cause) his grave consideration, adding that he had conquered from Heibuk to Syghan. They have raised the green standard, and the Ameer never forgets to mention in his letters, that he has taken up arms "for the honor of his religion."

Old Mahomed Ali Beg, of Syghan, to whom we gave up Sar-i-Sung, promised to hold out the fort for us; and at first he seemed disposed to do so. Masoum Beg summoned the Fort, and the old Mir answered,—“When Dost Mahomed Khan takes Cabul, I will surrender.” To a second summons, he said he would yield, when we were beaten from Bamceen. This promised well; but as soon as the Ameer reached Kamurd, the old rascal went over and made his bow to the conquering hero. The whole valley of Syghan has been made over to our quondam friend, as a reward for his treachery; and this has so disgusted his rival, Khilich Beg, that he and several of his friends have left the camp of the invaders. Unless the Dost does something decided shortly, this example will be followed by an Uzbek army cannot keep the field any length of time; and Syghan and Kamurd cannot I well known, support them much longer.

I have heard the question asked, “why was Syghan abandoned?” The answer is easy. Had we stayed there, we should have starved; we had only 2 or 3 days’ supplies, and had no means of getting any quantity out from Bamceen, our detachment being too small to afford escorts during troubled times. It is unnecessary to assign further reasons for the retreat, but they are not wanting. When the advice was made, this place was left scarcely efficiently protected. A company of Goorkhas and 100 Afghans were left to protect 6 guns and to man the intrenchments. Had we deserted Bamceen and brought all forward to Syghan, we could certainly have defended this place against numbers, but it would have been then impossible to have drawn any grain from this valley, and Syghan could not have fed us many days, I doubt even that we could have existed there on the product of the valley for two days; our enemy could gain a considerable quantity of grain from their rear, while we, from our numerical weakness, could not have kept open our communication with Cabul. Thirty seven miles of difficult ground makes a vast difference.

A great mistake was made, when we took possession of Syghan, and a greater still, when Bamceen was occupied. We have got well out of the scrape; and I only hope that a similar fault will not again be committed, &c.

The Afghan regiment was disarmed yesterday, or rather some 8 or 600 of them; 100 muskets had been previously taken from them. They are to return to Cabul immediately

A JOURNAL OF A MARCH FROM CAUBAL TO BAMEEAN, AND A YEAR'S RESIDENCE AT THE LATTER PLACE.

(FROM THE BENGAL HURKARU.)

(Continued from page 8.)

"Bameean, Sept. 21st.—Immediately after the affair of the 18th, the Political Agent sent to the Ameer to offer terms, should he be inclined to surrender, but the Dost sent an answer expressing his determination to "conquer or die." The consequence of all this is, that we advance to Syghan to-morrow, as we cannot allow him to remain so near a neighbour; accordingly 4 guns H. A., 6 Companies 35th N I, and 6 Companies of the Goorkahs, are held in readiness.

I told you in my last, that the ex-chief had been wounded. The report is very prevalent, but I fear there is no good foundation for it. The Usbegs stood much better than we expected; they rallied three several times, after having been driven back by the fire of the guns. Among the lost were some 200 of Moorad Beg's people, and about the same number of Affghans; there were also a few Huzaras, from Deh Zungee. Their total number is now reported by the Political Agent at 4,200.

When Mahomed Ali Beg went over to the Ameer at Kamurd, the latter granted him the whole valley of Syghan; this so disgusted his rival Khilich Beg, (who had previously joined the Usbeg forces,) that he left the camp; but was soon after captured, and both he and his brother of Iliatoo (or Sokhta Chunar) have been sent prisoners to Heibuck.

Gholaum Beg, son of the Wallee, was sent back to Tash Koorghan, previous to their advance from Syghan."

"Bameean, Sept 18th.—I am happy to inform you, that Dost Mohomed Khan has, this morning, been signally defeated, by a detachment of our troops under Brigadier Dennie, C. B.

Yesterday we heard of the Ameer's advance to Iliatoo (6 miles from Sar-i-Sung) and of Afzul Khan with 1,000 horse having reached Akrobat; and in the evening it was reported by our picquets, that several bodies of horse had debouched into the valley from the defile of Sooruch-dhurrah. This was hardly credited at first, but early in the morning, the intelligence was confirmed by Captain Hart (of the Jannbaz) who remained on outlying picquet during the night. These bodies of horse were supposed to be the advanced guard under Mahomed Afzul. A detachment was immediately ordered out to drive the enemy from the valley, and, at about half past eight A. M. 2 guns horse artillery (under Lt. Mackenzie) and two company's 35th N. I., and two company's of the Goorkah corps, together with about 400 Afghan horse (under Hart and Rattray) and Le Geyt's resalah of locals, — started from the lines, and were followed at an interval of half an hour, by Brigade Dennie, with a support of two company's 35th and two company's Goorkah corps. When the detachment marched out, it was supposed that there was merely an advanced guard in the valley; but on coming within view, it was found that their numbers amounted to between 3 and 4,000. They had pitched their camp between this and Sooruchdhurrah; but when our troops came within sight, they had collected in bodies

round the several forts, and upon the hills on either side of the valley. The action commenced with a fire of shrapnell from the Artillery (1-6 pounder and 1-12 pounder-howitzer). The Usbegs stood the fire a short time, but retired and again took up a position; the guns then advanced and again opened at 800 and 600 yards distance—the shrapnell practice was exceedingly successful, and the Usbegs again retired, but not before they had made one attempt to turn our flank. Shortly after the action commenced, the Goorkals ascended the hills, and drove before them some 7 or 800 horse, who were there collected. The enemy retired in tolerably quiet manner until they had nearly reached the entrance of the defile, when the retreat became a route; some rushed into the narrow passage, while others fled over the hills—the chiefs fled up the defile, with some 200 horse, the remainder scattered and ran in various directions. The pursuit was continued by the cavalry, through the defile and up the Sooruchdhurrah pass for about three miles.

Among the chiefs in the field, were Dost Mahomed Khan, his son, Mahomed Afzul Khan, the Mir Wallee, Mahomed Ali Beg, of Syghan, and his sons. The loss of the enemy considerable, and I am glad to say, that several of the Affghan deserters met the fate they so well merited. The ex-Ameer was himself wounded in the side, by a shrapnell. They had with them one gun, a rifle barrell one pounder, which was captured and is now in our lines. Our loss is slight. 2nd cavalry S. S. F. Lieut. Le Geyt, and two sowars wounded. Jaunbaz—one sowar killed and two wounded. 35th N. I. two sepoy wounded. 4th Regt. S. S. F., one sepoy killed; one subadar, two havildars, one naick and eleven sepoy wounded.

We are glad to perceive from the above statement, that the loss which our force, under Brigadier Dennie, sustained in the engagement, amounted to no more than 2 killed and 22 wounded. The cheapness of a victory, of course, subtracts nothing from the glory of it, Lieutenant Le Geyt was *shot through*, a little below one of his shoulders.

Bamceen, Oct. 1.—Yesterday we returned from Syghan, having completed a treaty with the Meer Wallee, and left some lasting records of our progress. We had scarcely reached Akrobat, when we heard that the Ameer and his Usbeg army had retreated from Syghan, and that the former had started for Goree: before moving, however, they had thrown garrisons of 60 and 100 men into Iliatoo and Sar-i-Sung. At the time of our reaching Akrobat, the enemy had a picquet at the pass, who observed our entrance into the valley, and immediately withdrew and gave information of our approach: the consequence was, that next morning, on our march towards Syghan, we learnt that the Usbegs had abandoned both forts, after setting fire to Iliatoo. Our Camp was pitched there on the 23rd, and in the course of the day the gateway of the fort was destroyed. Next day found us at Syghan. Mahomed Ali Beg and his sons had fled to Kamurd, and the only chief left in the valley was Founad Beg, who came in and met Lord. The former, though never any particular friend to us, has of course been taken into favour, and is now master of the whole valley. Immediately on our arrival, the destruction of the fort of Sar-i-Sung was commenced, and of this ancient structure, scarce a stone remains standing. One of the towers was blown up with 60lbs. of powder, and the gateway and walls (of masonry) were destroyed by the pioneers with pick axes. It is well that we have done this, as an enemy will have now no longer a stronghold at Syghan, which might be the means of annoyance to the Bamceen detachment. The fort we could have breached from a hill to the south, but a breach on that side would have been of no further use, that that it would have completely exposed the interior of the

work, and the garrison must eventually have surrendered. The breach, if made in the Southern face, could not have been stormed, as the rock is on that side perpendicular. The only accessible front is to the East, in which the gateway is situated, and which is much stronger than any of the other sides.

On the 25th, a messenger arrived from the Meer Wallee; the latter wrote that, since Dost Mahomed Khan had left, he was willing to treat with us. The elchee departed the same day with letters, containing proposals; and the next day another messenger came in from Kamurd, to request that the Political Agent would send an officer to the Wallee, to arrange a personal conference between Lord, and the former. Lieutenant Murray accordingly visited the Wallee on the 27th, and on the following day the Meer Wallee met the Political Agent on the summit of the Dundan Shikan; and the following terms were agreed on.

1st. That either army should retrograde the following day.

This was a capital arrangement, and we kept our part of the contract most faithfully. Whether the Meer Wallee was equally strict in the performance of his promise, is as yet unknown.

2nd. The Wallee, in the height of his generosity, gave us Syghan! and we, determined not to be out done in liberality, gave Kamurd to his tender keeping!

The Meer, at first, was rather anxious to have both Syghan and Akrobat (according to the original grant made by the Shah), but as he found the Political Agent fully determined against this, he at last generously waived the point.

3rd. Heibuck to be retained by the Meer, and Baba Beg, late chief of that place, to be allowed to go, whithersoever he may please.

We should have insisted on more favorable terms for this chief, had it not been lately discovered, that he had, for a long time, been carrying on an intrigue with the King of Bokhara.

4th. The Meer Wallee engaged that he would neither harbour nor assist Dost Mahomed Khan, nor any of his family.

I fear this is a promise made but to be broken.

5th. Dr. Lord promised to present a *telescope* to the Meer.

I forgot to tell you before, that the Wallee wrote from Iliatoo (before the action) to Dr. L., a letter full of complaints, of broken promises; the most serious charge, however, seemed to be that Dr. Lord had promised him a *doorbeen*, which he never received.

Such are the terms of the treaty between the British and the Wallee of Kooloom. Any arrangement is, at this juncture of affairs, desirable; but I cannot consider any treaty *satisfactory*, unless it be ratified within the walls of Kooloom. The Meer has gained a considerable accession of territory, and we have gained a loss; not that the loss of Bajgah is much to be regretted; the contrary is the case, but the Meer Wallee has unfortunately discovered, that we are not, any more than other mortals, invulnerable. He has acquired, by this treaty, and by his arms, Heibuck, Sarbagh, Doonab, Bajgah, and Kamurd; his dominions now extend to the summit of the Dundan Shikan. However, he has learnt this, that had he remained quiet at Kooloom, his rule would have extended still farther; and he has also discovered, by painful experience, that his whole army, even when assisted

by the popular ex-ruler of Cabul, and by the chief of Koondooz, cannot cope with a small detachment of our army.

Bamseeon October 2, 1840.—"Yesterday afternoon, Moola Wallee Shah arrived here from the Mir's camp. The reason of his visit, in this; Dhost Mahomed Khan, despairing of success in Kohistan has gone to Heibuck. The Meer Waller, as I told you in yesterday's letter, agreed not to harbour the ex-chief, and, accordingly, has sent his minister to us; he is willing to try his persuasive powers on the Dost to induce him to surrender, but will not openly give him up. Lieut. Rattray and the Moola started this morning, on their way to Heibuck; I hope their mission will be successful. The Wallee withdrew from Kamurd, according to agreement, and was yesterday at Roodee, a stage beyond the Kara Kootul."

The Caubul dawks appear still to come in very irregularly—the letter of the 26th of October, came in the day after that of the 2d had been received.

DR. LORD.

Sir,—The untimely death of such an elegant and accomplished scholar, and valuable servant of Government, as the late Dr Percival Lord of the Bombay Establishment, in the unhappy affair of Purwen Durra, seems to have added the peculiar calamity of such a loss to that distressing event, and its most distressing cause. Few men in India possessed the commanding intellect, the diversified talents and extensive acquirements of this excellent young man; and fortune appeared to be preparing for him those brilliant opportunities of availing himself to the utmost of his capabilities for rising, which so seldom fall to, or rather are so seldom allowed to benefit a medical officer.

My personal knowledge of him commenced under purely professional relations, but though we had never resided at the same station, and subsequently had never met, but accidentally and for short periods, yet our intimacy in correspondence had become unusually close, when that good and great man Sir Robert Grant, with his usual wisdom and disinterestedness in the exercise of patronage, selected one so highly gifted and deserving, from the subordinate routine duties of assistant surgeon, in medical charge of the left wing 1st Regiment Cavalry at Hurole in Guzerat, to accompany Sir Alexander Burnes's mission in 1837, through the valley of the Indus to Kaubool:—this appointment being solely a flattering acknowledgment, of his fitness for such an employment, and very honorable to Sir Robert Grant.

As a medical officer his attainments were of the highest order; his general views were always based on profound knowledge; directed and guided from point to point of argument, by the soundest and clearest process of inductive reasoning, he would search only for truth, unwarping by any capriciousness of theory, and aiming only at usefulness without the ambition to shine, or the vanity of display. His professional conduct was marked by a degree of amiableness and benevolent attention towards his equals, and assiduous humanity towards his inferiors, which made him, in the strictest sense of the word, an universal favorite wherever he was known; nor was his professional usefulness over-impaired in the least, by the thrilling interests which the most exalted walks of Science and Philosophy afford, and which no man I ever met with was more capable of appreciating and enjoying than himself.

He left Hursole in Jan. 1837 ; and his history, from that date to his untimely death, will no doubt be found in his manuscripts ; and even in the roughest state in which a mind and a taste like his could have first noted occurrences, or his observations on them may I hope prove as instructive as interesting, and an honorable memorial of such a man. He was not long confined to the subordinate duties of his profession ; his valuable reports on the valley of the Indus, after travelling up the river ; and on Koodoos after a residence with Murad Beg of some months, were perfect *chef d'œuvres* of their kind, and obtained him the personal regard and powerful patronage of Lord Auckland ; and when I met him at Kaubool in Sept. 1839 he had been employed the past year in confidential and trying missions and duties, and had been then selected, I believe, by Sir W. H. McNaughten, for the arduous and honorable position of watching from Bameean the political events and threatened changes on the western frontier of Kaubool.

The *Agra Ukhar* published a series of letters, a few months ago, under the signature of ' *Conservative*, ' on his measures there and the occurrences in the vicinity of Bameean ; and adopted the strained views and malignant tone of that correspondent towards poor Lord. One of the kindest, and noblest hearted, and best of men, was represented as little better than a sanguinary cut throat ; one of the most highly gifted and enlightened, who wanted only time and opportunity to be an honour to any age, or any country, was drawn in the coarsest language, as a reckless charlatan. The utmost virulence of slander did him no injury ; the news of his melancholy death reached Agra from Kaubool at the same time with an order from Calcutta directing an increase to his salary as the best pledge of Lord Auckland's sense of his merits and his conduct.

In an unluckily hour poor Lord was advised to waive the respect he owed to himself and his position, and to notice those calumnies by a letter addressed to the Editor. He acknowledged to me his own sense of the impropriety of the act, but said he yielded to what he considered a superior judgment : he was wrong ; and the advice, though well intentioned, originated in Indian ignorance of the little importance of anonymous ephemeral scandal from those who live by it ! in a two great anxiety for Lord's position, and in overlooking the commanding height he was so rapidly attaining, and from the first steps of which his friends might have allowed him to scorn envy, and despise its hatred and uncharitableness. Poor fellow ? he was guilty of the two-fold sin, in the eyes of such people as the Agra Editor and his Correspondent, of belonging to Bombay, and of being a Medical Officer ! deserving and obtaining distinction and emolument.

His friend Dr Grant, who was present at the time, in describing his death, expresses a melancholy satisfaction that he was in the field by order, or on duty, and not through any idle curiosity, or heedlessness of personal exposure ; the circumstances are not mentioned, but I presume that his personal knowledge of Dost Mahomed may have been thought to render his presence necessary with the advanced detachment, in case of the capture of the ex-ruler. I believe it to be quite true that it was his personal observation and judgement which marked the opportunity, and suggested the movement, by which Dost Mahomed's flank was turned, and his retreat cut off ; and if so, it forms a singular instance of mental energy and bodily activity. When Capt Fraser's squadrons had occupied the ground over which Dost Mahomed must necessarily pass to escape his pursuers, the enemy's strength of Cavalry was actually inferior in number to our own, and when they advanced to a trot, as the last effort of despair, to charge our people, and cut a way through or perish, the exultation and happiness of our brave officers was unbounded, for not a man of the enemy could have escaped death or capture, had their people done their

duty. Poor Capt. Fraser : a more distressing occurrence cannot be imagined : the most brilliant éclat seemed placed within his reach, by an envious fortune, for the pure pleasure of breaking his heart by the wretchedness of disappointment, in a manner so wretched.

The particular moment of Lord's death was not observed ; he was on the extreme left when the action commenced, and the struggle of contest near him was not severe ; but seeing the people betaking themselves to flight, and his exhortations to them to stand being unheeded, he spurred across the field, to join another party, which seemed to be keeping more together, and evincing a better spirit ; and it is supposed that he fell, ere he could join them, by a volley from a small fortified house, which was occupied by a party of the enemy's Infantry, and which he incautiously approached too closely in his anxiety to be useful ; his body was perforated by several balls, and his death must have been instantaneous.

I know nothing of his family or early life ; he had graduated as a Bachelor in Medicine at Trinity College, Dublin, and was justly proud of his Alma Mater ; she has just cause to be proud of him. He seems, before coming to India, to have endeavoured to establish himself in London, and to have assisted for a sort period in the conducting of one of the literary journals ; during which time he published history of Algiers, &c. &c. He had never visited Africa, and when I asked him what had turned his attention to Algiers, he replied " the Publisher's instructions, and a cheque for £200.*

His autograph Will, dated the day preceding one of the Bameen forays, from which none of the party who went felt at all certain of returning ! bequeaths all he may die possessed of to his mother, Mrs. Charlotte Lord of Mitchellston, county of Cork ; and this is all I know of his family or connections.

A warmer-hearted or more kindly dispositioned man could not live ; nor could any one be more affectionately regarded by his associates in life, or more deeply deplored in death than this amiable and excellent man and accomplished scholar. His friends Sir A. Burnes, Capt. Rattray who was his Assistant, and succeeds to his Political duties, and Dr. Grant, have resolved to put up a mural tablet to his memory, either in the Bombay Cathedral, or in his native village, as their heartfelt acknowledgments of his worth, and their regrets over all the hopes and promise that lie buried in his grave,

Sir Wm. McNaughten, in communicating his death to the Bombay Government, was pleased to pay a just tribute to his memory, as a valuable servant of Government, cut off in the opening of a brilliant career of distinguished usefulness.

This is all that for the present I am able to say ; but I would hope that his journal and manuscripts may be found in such a state as to permit of their publication ; they will, if legible, be as interesting and attractive from grace and elegance of style, as valuable for the new matter which so gifted and enlightened an observer must have gleaned in the new and wide field which was his fortune to travel over during the past four years.

R. HARTY KENNEDY.

* He subsequently published in one volume, with numerous illustrative engravings, price 7s. 6d. Popular Physiology ; being a familiar explanation of the most interesting facts connected with the structure and functions of animals, and particularly of man ; adapted for general readers. By Ferceval B. Lord, M. B., M. R. C. S. of the Bombay Medical Establishment.

The following is from Dr. Kennedy's admirable work on Afghanistan, Vol. II., page 10 to 109.

" On the 26th August I spent the day with Burnes, to meet my old friend Percival Lord, who had arrived that morning from the Khyber Pass, where Colonel Wade had been covering himself with glory in forcing that wilderness of defiles, described as more horribly inaccessible by far, than the Bolan, and in bringing up the Shah's son and part of his contingent from Peshawar.

My acquaintance with Lord, as well as with Burnes, had begun under different circumstances of comparative position; but we were warm friends, and had always maintained a correspondence which had afforded me an abundant delight. Outram joined us at dinner, and none of us are likely to forget that evening; it was passing strange that we four should meet in Kaubool.

Lord Auckland has had the good fortune to meet such men as Burnes, Lord, and Outram; and has the good sense to appreciate their merits. Time and the hour will do Burnes justice. Lord is on the direct road to distinction, whither the highest order of intellect and the most accomplished mind must lead him onward, and establish for him a distinguished reputation. Outram, has proved that mind and energy are not to be trampled under foot; his course seems now to be smooth before him, if his health should be spared in the deadly region of the valley of the Indus, and at the capital of Scinde, to which he is appointed Resident.

Lord was selected for the important duties of an embassy to Koondooz and Bokhari to secure our political influence, and to avert any evil that might be threatened from that direction through the intrigues of Dost Mahomed's emissaries, and to meet the contingencies of the last struggles of his despair. A more highly qualified agent was never employed, either as respects general talent, or local knowledge, and peculiar fitness for the peculiar work; and that, too, one of the most delicate and difficult errands on which he could employ his talent; cool and far-sighted, with judgment to decide, yet energy to act when occasion called for it.

The winter snows fell earlier than usual, and he was unable to proceed beyond Bameean, where I must leave him. His commentaries will some future day come forth to delight and enlighten the world; and in the mean while his report on Koondooz, compiled when he was a subordinate assistant to Burnes, will furnish the only philosophical and readable fragment that has yet been given to the public respecting that country and its vicinity.—*Bombay Times*, December 30, 1840.

MASTER C. MASSON'S ACCOUNT OF THE FALL OF KEE[AT] AND CAPTURE OF LIEUTENANT LOVEDAY ON THE 20TH AUGUST, 1840.

When formerly favoured with a communication from Mr. C. Masson (published November 14, and *Overland*, Dec. 1) he was under arrest at Quetta on suspicion of being a Russian Spy, and there it would appear, he still remain, waiting till the pleasure of the Governor General of India respecting him shall be known. His case, as formerly stated by us, has been discussed by the newspaper press in every part of India, and the idea that one particle of well-grounded suspicion can, for a moment, justly attach to his character, has been universally and contemptuously scouted. The following very valuable communication dated Quetta, Nov. 25, contains a journal of his proceedings anteriorly, and up to the fall of Kelat. The statements it contains give the first full and authentic account which has been laid before the public of the events connected with that miserable affair,—the interesting narrative of Lieut. Loveday's servant being a purely personal recital of his master's sufferings. Poor unfortunate Loveday! He was much too young and inexperienced for a position like that in which he was unwisely and unfortunately placed and his life paid the penalty of that which was the fault of others.

STATEMENT—PART 1ST.

In the latter end of April of this year (1840) I set out from Karachee to Sunmiani, where leaving my servants and luggage to follow with a Kafilah then forming, I passed on to Bela. Here I was obliged to halt for some days, when via Wadd, Baghwana and Sohrab, I reached Kelat.

On arrival I made two visits to Lieut. Loveday, the Political Agent, who received me so uncourteously, that I did not think it necessary to trouble him any more with my company.

Before my servants joined me, the revolt of the Brahoe tribes at Mustang had taken place, and my progress to the north was consequently stopped, and a movement in any direction was attended with danger in the excited state of the country, and from the well known general feeling in favor of the young son of the late Mehrab Khan, who had joined the insurgents at Mustang.

I lingered on at Kelat, for I could not divest my mind of the idea that the rebellion would be suppressed, but had also arranged, in case matters came to the worst, to have retired either upon Baghwana or into Kachi. The rebels having retreated from before Shal, the question of their future operations became of speedy solution, as they had either to disperse or to advance upon Kelat.

I, in common with the multitude, was not aware what course would be adopted, when I received a note from Lieut. Loveday, inviting me in handsome terms to his house.

I called on him the next morning; he was most courteous, ran to meet me, held out both hands, I gave him mine, and when he informed me of the danger the place was in, I immediately consented to encounter it with him.

Associated with Lieut. Loveday and his fortunes, I naturally enquired as to what measures had been taken for the defence of the town. It was too plain, that Shah Nawaz Khan had been too much occupied in the management of his unruly Brahoes, or too oppressed by natural carelessness, to take any, and no attention had been given to the repairs of the walls, or to any thing else. Neither had Lieut. Loveday at all interested himself, although he had been recommended by some, and wisely too, I think, to take charge of the defence. I had heard much of the works with which he had strengthened his own residence; they, however were trifling, and the house was not tenable under attack for a quarter of an hour even to Brahoes assailants. I endeavoured to put a little spirit into the affair, and caused some of the most glaring defects in the town walls to be obviated, and had some of the dead walls which might afford shelter to a foe, without the walls, pulled down; but there was not time to do much. I saw also that the people of the Khan were set about the casting of bullets, as if it was meant to fight, there must be something to fight with. Shah Nawaz Khan was pleased to see me at Lieut. Loveday's house, and I told him that now I knew things were serious, *sarai dari* had brought me there. I had often seen him when residing without, and he used to ask me to come to the Miri and converse with him. I did not comply, as I would avoid giving umbrage to Lieut. Loveday. On the day following my location at Lieut. Loveday's house Shah Nawaz Khan withdrew his men into the town and told them off to the walls. To Kamal Khan, Ettars Zai of Baghwan, and Khan Mahomed Khan, son of Isa Khan of Wadd, he confided the Southern gate called Gil Khan, with an outwork at that point called the Sangar. The eastern gate or Dil Dar, he entrusted to the son of Rashed Khan's party—between whom and Kamal Khan's men, Mir Boher was stationed with his boy; the Mir on account of Rashed Khan son being a child, was actually the head of the Zehri contingent, which being numerous had nearly the whole eastern front of the town to defend. The northern or Mustang gate being adjoining to Lieut. Loveday's residence was considered under his charge, but Omar Khan Kakshani was fixed subject in it, to Lieut. Loveday's orders. From the Derwaza Mustang the line along the western front to the Miri, was made over to the saen of Shalkoh, Mehara, Sandaran, &c. villages near Kelat, and the party of Khair Mahomed Shahghassi. From the Miri to the Sangar the walls were defended by Lutianis, Kamfararis, &c. The Miri was in charge of Mir Fatti Khan, brother to Shah Nawaz Khan, and the duty taken by the latter, whose couch was placed by night under the Derwaza Dil Dar, was to be on the alert, to patrol the ramparts and to be ready to give assistance to any point attacked. On the succeeding morn the enemy appeared, and halting a while on the low hills near Kelat, filed round by the dry bed of a watercourse and entered the gardens east of the city. Immediately, or as soon as they had alighted from their cattle, they rushed to the Babi suburb south of the town, and attacked Kamal Khan's position. The attack in time spread to the Derwaza Dil Dar, comprising the intermediate post of Mir Boher. It was clear our assailants intended to have got over their business speedily, or it may be they had supposed the gates would have been opened to them. It is not unlikely that most of Shah Nawaz Khan's chiefs had written very dutiful letters to the rebel camp, neither is it impossible that had they been less unceremoniously attacked, they might, saving appearances, have yielded the town but the brusque beat of summons of the Saharawanis put them on their mettle, and they fired ball in return. Much firing took place until the afternoon, when the assailants retired. Blood was shed on this occasion, a great point in Brahoes warfare as it authorized the hope that accommodation was out of the question, and that the hostile parties must fight in earnest. We considered the chances of holding the town as not ten to one in our favor, as we naturally looked to the result of the first onset with some interest, not only as would shew the kind of opponents we had to deal with, but what was of more moment,

as it would test the fidelity of our friends. Our Brahoe levies subsisted on an allowance of flour; I wished Shah Nawaz Khan to have distributed some of his sheep among them after their success, but he refused, laughing and saying, why shall I give them to the Brahoes to eat, I shall eat them myself. I succeeded in procuring from Lieutenant Loveday a supply of dates for the combatants. The enemy I should have noted were not above 1000 to 1200 men of all descriptions, and many of these were unarmed, and many more armed only with sword and shield: the chance is, that in the number of firelock we were equal to them, supposing we had within the walls 500 to 600 men. Throughout the night a firing was maintained from Kamal Khan's post, and also during the next day and night, but no regular attack was made, the rebels having determined to attempt an escalade and being occupied in the preparation of ladders. The third night came, and we were aware of the design, although not so of the point of intended attack. Shah Nawaz Khan had taken the positive precaution of distributing torches along the ramparts, which, as long as they were unconsumed and replenished with oil illumined the space for some distance around them. He was also, as customary with him, active in patrolling the place, retiring occasionally to his couch in the Derwaza Dil Dar. About two or three o'clock in the morning, the torches extinct or burning very dimly, an increased firing announced the attack, and the point seriously menaced we found was not far from us, being the quarter between the Mustung gate and Miri, occupied by the Skalkohis, Nicharis Sandaranis, Jettaks &c. Nasrulah, a Kelat servant of Lieutenant Loveday, brought the news that ladders were fixed, and implored that a party of Sipahis should be sent. Lieutenant Loveday permitted his havildar, Allabuksh, to select eight men. These were accompanied by two or three others as amateurs and by Nasrulah. They opportunely reached as a number of the enemy had entered the town, and their companions were being assisted over the walls by those who ought to have defended them. The attack, of course, had been made in understanding with part of the garrison, who it seemed fired wadding only, while they lowered their lughis to help the enemy up the ladders. The sipahis performed their duty admirably, and compelled the assailants to flight, cutting off from retreat those who had entered the town, about thirty in number, under Jelal Khan: these men fell in with Shah Nawaz Khan on his rounds. They fired at him, and killed two or three of his men, while the rest with a few exceptions, fled. Shah Nawaz Khan cut a man down, but being nearly alone was compelled to fly. Jelal Khan and his party finding themselves unsupported, made the best of their way to Kamal Khan and besought his protection. The men were disarmed, and with their leader, who was allowed to retain his arms, were kept prisoners. While the party of sipahis was engaged on the walls, a kalassi sent with ammunition was intercepted by the men of the garrison, who took his supply of cartridges as well as his sword. Nasrulah coming on the same errand, conveyed a second supply. The same man also brought the welcome news of the repulse of the escalade. The victorious sipahis now wished that a guard should remain over the slain on the walls till morning should enable them to see and to despoil them. I wished Lieut Loveday not to have permitted this from difference to the feelings of the other Brahoes of the garrison, and hoped he would be satisfied that the men were killed, and allow their own countrymen to rifle them. He shortly replied that the spoils were the *hak* or right of the sipahis, and a guard was sent. Nasrulah was desired to accompany it, but declined, aware that the act would excite ill-feeling. The restitution of these arms was the first demand made by the rebels after they entered the town. In the grey of the morning Lieut. Loveday went from his house to

the spot of the night's achievement. We had sorely reached it and cast our eyes on the corpses strewn around, and the broken ladders under the walls, when a brisk fire re-opened on the side of Kamal Khan. We returned to our house, and learned that the enemy had renewed the attack, as it proved, under the idea that Jelal Khan and his party, (who they were not aware had surrendered) would open the gates to them. This attack was sharp and continued for about two hours, when the enemy again withdrew.

We might now have congratulated ourselves upon the events of the past night, but were not allowed long to do so, for symptoms of a general panic soon manifested themselves. They communicated even to our own people. It was true that the party of sipahis who had so gallantly behaved, had, in the heat of battle, slain and wounded, also some of the traitors of the garrison, and there was reason to apprehend, unless measures of precaution were adopted, that in another attack they would side openly with the enemy. Throughout the day our sipahis were constantly exclaiming that there was treachery, inferring so from the guns at the Miri occasionally fired, being loaded with blank cartridges as they supposed. In the evening we were visited by Shah Nawaz Khan who was low spirited. I proposed to eject the traitors with or without their arms. This step the Khan did not think advisable. I next proposed to give every man of the garrison a small sum of money, and to promise as much more, every time they repulsed the foe. This mode was not approved of. From this day the casting of bullets was suspended, and all idea of continuing the defence seemed to be abandoned.

I must confess I did not understand the cause for alarm, and supposed it to arise from the manifestation of treachery merely, which I still did not think a sufficient reason, as there was a possibility of counteracting it, and from the first we were aware we were not too sure of our men. Succeeding events, however, better explained the cause of the panic, and its origin. Kamal Khan, upon whom Shah Nawaz Khan almost entirely depended, declared the place untenable, that arrangements were indispensable, and all but affirmed he would fight no more. It seems the enemy, enraged at Kamal Khan's opposition, had threatened to send to Baghwan for his wives and children with the view of placing them in their front as they marched to the walls, and thereby to compel him to open the gates to them. Whether affected by this menace, or that he had previously inclined to play a double part, he now wavered, and Shah Nawaz Khan found he could no longer reckon on him. It may also be, that communion with his prisoner Jelal Khan did the Baghwan chief no good. About sunset, a Saiyad, as Wakil, came to the town on the part of the enemy either in pursuance of a concerted plan, or that finding force was an effectual, it was deemed necessary to have recourse to fraud. I very much protested against the admission of this man, but Shah Nawaz Khan said it was right, and Lieutenant Loveday did not object. The Khan next sent an Elchi, I forget who, to the camp of the enemy, observing it behoved him to do so, as an Elchi had been sent to him. It was easy to divine what would be the end of negotiation. On the next day Kamal Khan met the Sirdars of Saharawan in a garden without the town. What passed is not known, but the result of the conference was an Ekrar Nameh, or engagement between the Sirdars of Jhalawan and Saharawan, giving the takht or masnad of Kelat to the son of the late Mehrul Khan, and Baghwan Zodi and Khozdar to Shah Nawaz Khan, the latter vacating Kelat on the third day. Lieut. Loveday with his sipahis, people and property was to be escorted to shall. A copy of the document sealed by Kamal Khan on behalf of the Sirdars of Jhalawan, by the Saharawan Sirdars, Mahomed Khan Shervane, Malick Dinar, Mahmud Shah, Juben Mohamed, Bangul Zai, and Mahomed Khan Lari, was given to Lieut. Loveday. I could

not forbear pointing out the absurdity of the affair, but he did not see it in such a light, or conscious thereof, professed to be satisfied. I represented that the principals on neither side were engaged in the treaty or parties to it; while the Sirdars of Saharawan were at the moment rebels, probably outlaws, therefore little competent to execute treaties. There was also the question as to what the Government would say to what was going on, and it was not likely to be influenced by the treaties of such men. The pointing out that the son of Mehrab Khan, the Darogah, Gul Mahomed and others might not think themselves, pledged by the seals of the Saharawan chiefs, induced to Lieut. Loveday to make an effort to obtain their seals also, through Kamal Khan. They were not given, but that of Azzad Khan or Kharan was affixed to the instrument. It was in vain I urged to Lieut. Loveday how studiously the principals avoided to commit themselves, and the danger he ran. Kamal Khan explained and justified his conduct after his own fashion, and Lieut. Loveday was satisfied. I spoke so much to Kamal Khan that at last he used to take Lieut. Loveday aside, and would not speak in my presence, when instilling into him notions of his security. Lieut. Loveday's dependents and servants, many of whom were admitted to his counsel, applauded the act, and anticipated the happy sway of Mir Nasir Khan, so was called Mehrab Khan's young son. I could only forebode evil, and wearied myself in conjecture as to what would be the end of the drama.

As soon as the Ekram Namepbad been concluded, intercourse was free, between the town and rebel camp, and Nasrulah, Lieut. Loveday's Kelat servant began the work of deception by producing a letter which he said the Darogah, his ancient master, had sent to him when he and the young Khan started from Kharan, desiring him to tell Lieutenant Loveday how much the Darogah esteemed him. Nasrulah was now, in consequence, sent to the Darogah, and returned bringing back the kindest assurances, either never made by that crafty old man or made only to deceive.—*Hurkaru*, January 14, 1841.

Lieut. Loveday had on the first mention of negotiation been taken by Shah Nawaz Khan to the Meri, and had seen the Khan's mother, who with her son thought at the time there was no alternative but treaty. Now however better acquainted with the state of the rebel camp. Shah Nawaz Khan and Mir. Boher of Zehri wished to break off the treaty. Mir Boher had been suspected, and perhaps with justice: but events had changed him, and he was now willing to continue the defence: indeed, since the investment, he had fought with sincerity. He came twice or thrice to Lieut. Loveday, with and without Shah Nawaz Khan, and I strenuously urged that officer to encourage their warlike notions, and once induced him to give his hand to Shah Nawaz Khan and to Mir Boher, but the fatal influence of Haji Osman, Nasrulah, and the rest paralyzed every thing. These men made the grossest misrepresentations as to the numbers of the rebels, their abundance of provisions and of other necessities, which were believed; whereas they were without food and ammunition, and if kept at bay for two or three days more, must have dispersed. Mir Boher proposed to have provided against treachery within by removing the parties who had manifested to other points, and placing in their stead Khan Mahomed Khan, an approved good man, and his party. He was also averse to ejection from the town, which I still suggested, but did not press when a remedy was thought of. I asked Mir Boher what had come over Kamal Khan. He replied that Kamal Khan had become faint-hearted, but that he would get him round. Mir Boher spoke with real anguish to Shah Nawaz Khan of the disgrace about to fall on them, saying it was binburda, or outting off their horses, and that Kamal Khan had spoiled all. I must always think it was most unfortunate that Lieut. Loveday did not at this period exercise a sound judgment, and give a hearty support to Shah Nawaz Khan and Mir Boher when they were in the humour

to fight. Could Kamal-Khan have been brought round, and they were confident he might, there was no fear of the place being held. I have, since heard that the treachery was not so widely spread as at first apprehended, and that Rahim Khan-Lutiani of Zehri, and his party, with all the Kunbarais of the garrison were devoted to Shah Nawaz Khan. The evil persons about Lieutenant Loveday would not allow him to act as his unprejudiced opinions might have permitted him, and filled his ears with a thousand suspicions of Mir Boher, Kamal Khan and Shah Nawaz Khan, while they enlarged on the kind treatment and protection he would receive from the opposite party. While these things were going on, I discoursed as seriously as I could with Lieut. Loveday on the folly of putting himself in the power of the unprincipled men without, and urged to him that he should judge for himself, uninfluenced by the low incompetent people about him; that the business was one in which the government would have something to say, and they were incapable of conception even of the light in which it would be regarded. One evening we talked until very late, pacing up and down the room, and Lieut. Loveday gave a jump and exclaimed—he would die; but it was only for the moment, and the safer counsels of Haji Osman and Sampat reconciled him to life. I did not however understand there was any occasion to die, for had the defence been continued, and the town contrary to all probability had been forced, all those who had now been staunch would have irretrievably committed themselves with Melrah Khan's son's party, and would have retired with us, by the Mustang gate, which was in our own hands, and we should have all moved upon Zehri from which Lieut. Loveday and his party might have passed over into Kachi, or if convenient, hostilities might have been renewed, by forming a party in Jhalawan, which might easily have been done. There would scarcely have been any fear of being pursued, as the plunder of the place would have employed its new occupants for a day or two, and another day or two they would have been thinking about following or not, when we should have been far beyond their reach. Even had they pursued and overtaken us, I think they would have had reason to repent.

To counteract the efforts of Shah Nawaz Khan to get up resistance, or to persuade Lieut. Loveday to accompany him, Haji Osman and Nasrullah set on foot a variety of missions to the rebel camp. Had not the consequences been so fatal the zeal for negotiation at this period would have been amusing. It is obvious how important it was to the enemy that Lt. Loveday should remain at Kelat in their power, whether they intended to gratify their revenge and cupidity at his expence, or whether they hoped by the possession of his person to secure terms. Nasrullah was sent to the camp a second time with Morad Khan, a Naik, and Iram Buksh, a drummer. The two latter made their salam to the Young Khan, who spoke very courteously to them, and set them to the Shah Ghassi to report in secret the object of their mission, Nasrullah was privately closeted with the Barogah. Haji Osman introduced on the scene his uncle Atta Mahomed Khan, brother of the notorious Akhund Mahomed Sitlik, and this man with Rais Pir Mahomed of Kelat were sent privately by night. On the next day Atta Mahomed Khan went publicly with a retinue of forty or fifty persons he had collected. It struck me that there was something very indecent in this display, while Shah Nawaz Khan was yet in the town; yet this was not all; The Hindus came to ask Lt. Loveday if they might go to make their salam: they were told Yes; and moved from the town in a body to the rebel camp. While such things were in progress, Lt. Loveday, on Shah Nawaz Khan coming to call on him, with his accustomed familiarity of friendship would place his arm around him, affecting to coincide with his views and plans, while at the time his agents were negotiating (if such a term may be used) with the Khan's enemies and frustrating his intentions. Shah Nawaz

Khan, however, in my presence reproached Lt Loveday with the fact of his man Nasrullah being in secret conference with the Darogah, and at another time so rebuked Haji Osman, and used such high language, that had he received encouragement from Lt Loveday, a person standing by remarked, he would have drawn his sword and have put an end to the Haji and his treachery. Kamul Khan moreover complained to Lt Loveday that Shah Nawaz Khan had even presumed to accuse him of playing falsely. It was amusing to hear Lt Loveday express his shocked feelings, and strive to console the traitor. Lt Loveday's envoys always brought back the same unqualified assurances of kind treatment and protection—the young Khan, the Darogah, and Bibi Gunjani were all inspired by the best and kindest feelings, and the sirdars of Saharawan were determined to adhere with fidelity to their engagements; Lt Loveday might do entirely as he pleased, return to Shall or remain at Kelat, if he went to Shall the Bibi Ganjani, was to accompany him; if he remained, his every wish was to be gratified; another and handsome house was to be built for him in place of the one pulled down by the Brahmins, and whose timbers had been converted into escalating ladders. Nasrullah particularly certified to the good intentions of his old Master the Darogah, and Atta Mahomed Khan, who professed to have great influence with the Bibi Ganjani, assured Lt Loveday of that lady's good will, and that she looked upon him as her son. A letter was brought by Atta Mahomed Khan, said to be from the Bibi; but in the place of her seal, her name was scrawled within a circle. On my questioning the authenticity of this document, I was told the Bibi had no seal, having given it to Postans Sahib in Kachi, who had promised to do some business for her with the Government. Lieut. Loveday seemed satisfied with all that was done, and to place belief in all he heard. I think he was very angry with me for cautioning him, or presuming to suggest that he was deceived. Yet I knew it was so and with bitter disgust I heard Rais Pir Mahomed on return from his nocturnal mission, and after he had reported to Lieut. Loveday what had passed, repeat, sitting with Nasrullah, a Persian couplet ending with the words "sag dewan," and intimating that his victim had fallen into the snare laid for him. Besides the people here named, Ghulam and Fatti, brothers and Babi merchants, Wal-Mahomed, a tailor Buta Sing, a Sipahi, and others whom I cannot remember were sent on missions of one kind or other. Elchis were raked up from all quarters, and the aid of no one was refused.

Shah Nawaz Khan finding his wishes to continue the defence baffled, urged Lieut. Loveday to accompany him, taking all his effects with him. He assured him that he should be conducted in safety to Zehri or Baghwana, where as he pleased the struggle might be renewed or he could retire. The Khan preferred Zehri, being supported by Mir Boher, and that the Malloh route would be kept open, while Shikarpur was near. He honestly and truly confessed that he could not undertake the responsibility of the Shall route. Lieut. Loveday seemed to acquiesce, but only seemed: his advisers were ready with their insinuations against the motives of the Khan and of Mir Boher, and were not willing that their victim should escape. Lieut. Loveday urged he had not a sufficient number of camels, and the Khan offered to supply any number he wanted. I warmly supported the proposal, but all who had influence with Lieut. Loveday were against it, and he was clearly incapable of acting contrary to their counsels. Some faint attempts were made to pack up, but were soon abandoned.

The third day had now arrived, when the young Khan and rebel host were to enter the town. Shah Nawaz Khan was early in the morning in Lieut. Loveday, entreating him even then to accompany him with his party, taking only his valuables, for it was too late

to think of moving the bulk of the property. Lieut. Loveday was fixed, as if by enchantment to Kelat, and lent a deaf ear to all that was said. Shah Nawaz Khan had before asked him if all the Feringhee were as laghor or unmanly as he was, and now prophesied to him all the indignities and perils to which he exposed himself by remaining.

It was not until this period that Shah Nawaz Khan thought of abdication. The time was very critical. He had not deserted Lieut. Loveday but had been deserted by him, when he decided to take the decisive step of repairing to the camp of Mehrab Khan's son, and of investing him with a Khelat. He had scarcely left the town when Nasrullah and Haji Osman who had been sent betimes to the camp, returned, and with singular impudence implored Lieut. Loveday, when he had it no longer in his power, to accompany Shah Nawaz Khan, saying there was evil in his stay at Kelat,

When Shah Nawaz Khan left Lieut. Loveday, his brother Mir Fatti Khan came.—He requested a paper, which Lieut. Loveday gave him, nothing that he had been solicited to depart, but had determined to remain and negotiate for the safety of himself and his party—Fatti Khan went and returned, when Lieut. Loveday took the paper from him, and wrote another in which the reason for remaining was stated to be his determination to die at his post. Shah Nawaz Khan had behaved throughout the siege more creditably than I had expected of him. Whatever other motives may have dictated the step of his abdication, he made it still a means of contributing as far as in his power, to the good treatment, by the opposite party, of Lt. Loveday, and of facilitating arrangements with it, which that officer had commenced. Nothing was more evident to me than the anxiety manifested by Shah Nawaz Khan to shew his sense of obligation to the Government that had placed him in authority, by protecting the officer appointed to act with him, and certainly it was not his fault that the officer refused to be protected by him—Shah Nawaz Khan on arraying the son of Mehrab Khan with a Khelat, explained to him and the assembled chiefs, that Khelat had not been given to him by Lt. Loveday but by the Sirkar Company, that he had a friend at Khelat, whose kind treatment he should expect in return for the resignation of his station. That friend was Lt. Loveday. He said in the figurative style of the Brahoes that Lt. Loveday was his beard: when the son of Mehrab Khan replied that the gentleman had now become his beard, and that he should be treated as a brother, &c. The two Khans next moved in procession to the town, and as the cavalcade advanced, we had the mortification to witness, to what a contemptible rabble we had surrendered the town. Augmented with the followers of Shah Nawaz Khan and the many who on such an occasion would congregate, there were not above five hundred men. To account for the paucity of numbers, it must be supposed that many of them had dispersed after the failure of the attempt on the town, or that sure of their game, they had repaired to Mustung, threatened by the reinforcements that had reached Shall from Kandahar.

After having attended the son of Mehrab Khan to the Miri, Shah Nawaz Khan in the act of leaving the town called on Lt. Loveday. I was not present at the interview, having gone below to speak to a friend who had called to see if I was well.—The Khan sent for me but before I had well time to move, he was with me, and called me to witness he had not failed in his duty to the Sirkar Company or to Lt. Loveday.

A little time afterwards Haji Osman had the audacity to tell Lieut. Loveday, when repeating what he had heard had passed when the Khan arrayed Mehrab Khan's son with a Khelat, that the Khan offered to be the first to lay hands on Lieut. Loveday, and that Kamal Khan and Mir Boher had spoken to the same purpose. To so infamous a

scoundrel did Lieut. Loveday trust for information, and by such information were his opinions formed and his conduct determined.

The son of Mehrab Khan seated in the place of his father, received during the day the congratulations and offerings of the people. Lieut. Loveday sent also his Mabarak or salutation of welcome, with offerings of fifty rupees each to be presented respectively to the young Khan and to Bibi Ganjani, and they sent in return four men to attend at Lieut. Loveday's gates, avowedly to keep the turbulent Brahoes from intrusion, but in like manner to watch over intercourse with the house, and to take care that no one left it. Bibi Ganjani also sent in a message to Lieut. Loveday to be ware, a hundred times to be ware that he gave no money to any one; or at least such a message was brought in the Bibi's name.

All our people were sanguine in their anticipations of the future, but I could now bring myself to see any thing but evil in prospect before us. Sampat, Lieut. Loveday's confidential Hindu servant, who had a sad influence over his master, asked me this day why I, who was to Kush or glad when there was jang or war, was so dejected now there was sulah or peace, I replied that I had no fear of the jang, but had a great distrust of the sulah.

In the narration of the events which transpired during the few busy days of the siege and negotiations which led to the surrender of Kelat, I cannot particularize a hundredth part of what happened, neither can I pretend to relate in order of accuracy, such leading facts as I now can call to mind. Of my conduct during this period I should hope I need say little. Lieut. Loveday has since testified that I conducted myself nobly, and while the siege was yet carrying on told me he must represent to Government my exertions and the assistance, was rendering, I replied that I had no object to gain with the Government and he need not trouble himself to write about me, but not to forget his brave men. He said he was bound to write. Yet he did not at that time, and it would have been awkward for him to have written, if I am right in suspecting that he must have been previously, in his letters to Capt. Bean, endeavouring to injure my reputation—Capt. Bean, indeed told me that Lieut. Loveday had not written any thing derogatory, but Lt. Hammersley, his Assistant, repeated to my servant that he had.

However when falsehood would have been unpardonable, and when it was no longer necessary, Lieut. Loveday testified that I (whom he had aspersed) acted nobly. I make no pretensions to having acted nobly, but I did all that a good and true man could do, in the limited field open to me. As Lieut. Loveday did not, although he felt, as he said, bound to do so, give any information as to what I did, I may be excused in stating that during the attack on the place, I was never inactive. I visited repeatedly the several parties on the towers and ramparts, encouraged them in their labors, and saw that they were supplied with ammunition. I endeavoured to do something with the two guns mounted on the Miri, but could do but little, for they were nearly useless; still all the loss occasioned by the guns was imputed to me by the enemy. I had wished to have knocked in the gate of a Masjid close to the Derwaza Dil Dar, which afforded shelter to the assailants, but it was so exactly in line with the ramparts of the gate, that I feared to make the attempt, lest the Zehri people there located, and not to trustworthiness, should have found a pretext for abandoning their post. On this, I persuaded Shah Nawaz Khan to fire the small suburb adjacent to the Derwaza Dil Dar, which was done and with effect. In like manner I induced Kamal Khan to fire the Babi suburbs, close to his gate, the Derwaza Gil Khan, and he did

so, but very faintly. I also attend and dressed the wounded man, and during the few nights from the investment to the surrender of the town, was constantly wakeful; during the early part of the siege, keeping up an intelligence with the various quarters of the town, and learning what was going on; and while the negotiations were on foot, keeping on the alert lest treachery might be practised. In exertion and vigilance by night and by day, as others have not stated the fact, I must say that I was unremitting.

I need not waste time in justifying my counsels to Lieut. Loveday to encourage a further defence, and failing in that, to accompany Shah Newaz Khan. In my opinion the desire to preserve his property influenced his stay as much or more than any other consideration. I told him that I should think, without knowing what was usual in such peculiar cases, that he would have a fair claim on the liberality of the government. He was immovable by my arguments and the entreaties of Shah Newaz Khan. The fatal consequences which have attended the placing himself in the power of an unprincipled confederacy of robbers, proclaim better than words the extreme folly of the step.

CHARLES MASSON.

Bombay Times, Jan. 2.]

JOURNAL OF A TOUR ON THE KAPWAS.

(FROM OUR CORRESPONDENT)

March 26.—At 2 o'clock P.M. we took leave of our families, and set out on our contemplated tour in the interior of the island. It is our intention (Deo Volente, to ascend the Kapwas river as far at least as Sangau, some six or seven days from Pontianak, from thence return to Tyan and from Tyan cross by land to Sandak, from whence we hope to reach Pontianak again by way of Mandoor, a Chinese settlement three days distance by land from Landak. We take with us a few medicines, not only with reference to the probability of sickness in our company—for several places we expect to visit on this tour are represented as unhealthy—but also with the hope that we might thus be made serviceable to others. We have also with us a few hundred Tracts in Malay and Chinese for distribution. The principal object however of the present tour is to endeavour to gain as much knowledge as possible of the numbers, characters, habits, and situation of the Dyak tribes of the interior, and ascertain by personal observation the openings for missionary labour and the most eligible site for a station among them. Both the Resident and Sultan of Pontianak have kindly furnished us with letters to the chief men at the principal places we design to visit.

Our boat is of the class called here *bedar*. This kind of boat is used by the European residents of the place, and the chief men among the natives to the kindness of one of whom the Pangeran BANDAHARA, a brother of the Sultan we are indebted for the loan of this on the present occasion. It is about thirty feet in length, six feet in breadth in the centre, and rather light in its construction. A small frame work in the after part supports a shelter of thatched *kajang*, the space beneath which just allows room for our travelling trunks and spreading of our mattresses, which from at once our seat by day and our bed by night for in a Malay boat a traveller looks in vain for a stool, bench, or elevation of any kind to serve for a seat; nor will the lowness of the roof or awning over head admit of relief in a

standing posture. On each side of us, as far as our mattresses reach, are screens of kajang hung upon rattan hinges which may be elevated at pleasure to admit the air and to enable us to view the banks of the river. Most of our baggage find a place beneath the boards or flooring that form the deck of our boat, and our rowers six in number, under a temporary kajang shelter, occupy the four part. When a native of consequence ascends the river in such a boat more than double our number of men are generally employed.

About an hour after leaving Pontianak we passed Nibong Saribu a settlement of Chinese containing a population of about five hundred souls, situated on the left bank of the river. The inhabitants cultivate small plantations of vegetables, starch, and sugar cane, for the Pontianak market. There is a small sugar making establishment in the settlement. Another hour brought us to Pengharapan where the Dutch have had a sugar manufactory in operation for some years past. Large sums of money have been expended upon it, but owing to difficulties in procuring a moving power to be applied to the cast rollers for expressing juice of the cane, and in drying and preparing the sugar for market on account of the extreme humidity of the atmosphere, it has proved an unprofitable investment of capital and has recently been abandoned without realizing what was anticipated, when by the first projectors of the enterprise, the name was given to the place which it now bears Pengharapan,

At a distance of a mile and a half or two miles from Pengharapan we passed a small Malay kampong over which a kling man, resident in the place. "clothed with a little brief authority" by the Sultan of Pontianak, exercises a kind of guardianship. There is a mosque which owes its existence to the zeal of this strict Mohomedan prince. This place is designed as the first stage in his trips up the river where he may stop for refreshment, rest, and to perform the duties of his religion.

After passing Quala Dua a small stream on which are a few Chinese a short distance into the interior, we reached Teluk Kompele on the right, a small Chinese settlement of some thirty dwellings between five and six o'clock, where we stopped to prepare and take our evening meal. All the places above mentioned with the exception of Quala Dua we had before visited and supplied the readers both Chinese and Malay with tracts. Having remained at Tuluk Kompei about an hour we proceeded up the river lighted on our way by almost constant vivid flashes of lightning accompanied with heavy peals of thunder, until a little past 9 o'clock, when we fastened our boat for the night to some logs in front of a few Malay dwellings situated at the mouth of a small creek.

27th.—Rain fell during the greater part of the night attended with lightning and thunder, calculated to fill the mind with solemn awe. Our men who had nothing to screen them were much annoyed by mosquitoes, and although we were furnished with curtains which kept out most of these unwelcome visitors yet owing to the novelty of our situation, lying in a small boat, the sides of which are only a few inches above the water, the buzzing of mosquitoes, screams of monkeys in the adjoining forests, added to the thoughts of the dangers and trials to which we might be exposed on our journey, prevented us from sleeping as soundly as under ordinary circumstances we might have done.

After our morning repast at about past 8 o'clock we left and proceeded on our way. On the right shore during the course of the morning were seen a few Malay dwellings and cleared patches near the water's edge, but the left bank except one or two small clearings presented no traces of the hand of cultivation, but appeared low, woody, and monotonous. Passed before noon the mouths of several small creeks, the banks of some of which are inhabited by Malays who cultivate rice, vegetables &c. One is noted as being formerly the resort of banditti, who since the possession of Pontianak by the Dutch have disappeared.

About noon we stopped at a place called Tarjong. Known small Malay settlement. This is another of the sultan's stopping places; and among the dwellings is one erected by him for the purposes above referred to. Shortly after leaving this place saw two small crocodiles a short distance from each other basking on the shore. They were about six feet in length. From Tarjong Quow the river banks appeared rather more open, particularly on the right until between three & four o'clock p. m. when we passed a place called Sukalanting containing about 10 Malay dwellings. Here also the Sultan has a small building erected for his accommodation. From Pontianak to this place the Kapwas is about two hundred years average width quite circuitous, the banks low and inundated at spring tides, especially during the rainy season. At Sukalanting the Kapwas divides, sending off less than half its waters by this place in nearly a north west direction to Pontianak, where joining with the Landak it forms the Pontianak or Lewa river, while a large body of water passes off in a western direction. At the distance of about half a day from Sukalanting this stream called Punggur divides; part of it continuing to flow to the west until it reaches the sea, and part flowing to the south called Ola-Ola, the term here for eddies, which, owing probably to the rapidity of the current and the sudden bends of the stream, are said to be very numerous. The Ola-Ola also divides, and a part of its waters turning westward are discharged into the sea at a place called Membawang, where there is a small settlement of Chinese. The remaining waters fall into the sea some distance to the south at Kubu, a settlement of Malays and Chinese. The inhabitants of both these places are principally engaged in taking fish, which is dried or salted for the Pontianak and other markets. At Kubu some excellent rice is produced, and at the same place are obtained honey and wax of superior quality. The place is said to be very unhealthy, so much so that but few of the Chinese who go there live more than three or four years. A year or two since, one of the largest of the Pontianak ships, of between two and three hundred tons measurement passed up the Punggur, mistaking its mouth for the Pontianak, to Sukalanting, and from thence was carried by the current down the Kapwas to Pontianak. In fact all these mouths are navigable for vessels, and as the water on the sand bars at the sea is said to be of great depth than at the mouth of the Pontianak [where vessels are often detained for weeks sometimes for months] with a strong favoring sea breeze this although circuitous way would most probably be sometimes preferred, were it not that the Government forbids the entrance of vessels by these streams. Two small forts have recently been erected at Sukalanting by order of the Sultan of Pontianak within each of which are mounted two or three guns. These forts are simple wooden inclosures, constructed of thick plank or split timbers 15 or 20 feet long set upright and driven into the earth. In contending with a European force they would furnish no protection, but in invasions of piratical Dyaks and other natives, who are almost altogether unacquainted with the use of artillery, they are sufficiently formidable. About two years since, previous to the erection of these forts, piratical Dyaks from Saribas, led on by some run-away Malays of Pontianak and others, ascended the Punggur to this place, burned one house decapitated three or four persons there, and a few more further up the river. Above the forks we found the Kapwas spreading out into a most noble stream, half a mile in width, very deep, and the current strong except when checked by the rising tides of the sea. Just at this place some peculiarity in the foliage of the trees on the river banks, as seen at a distance, gave them an appearance so often seen in American forests in the early autumn. It struck us as something peculiar in this land where constant summer clothes the trees in a robe of perpetual green, and did not fail to call up to the mind many tender and pleasing associations.

A little before sunset we reached a small island in the stream called Pulau Binge. The shores of the island and river opposite were once inhabited but are now deserted and

lonely. As there were no dwellings near, between six and seven o'clock we tied our boat to a tree on the river's bank just above the little island and proposed to pass the night in this place. Multitudes of fire flies were here sporting a little above the water on the leaves and branches. Some particular bushes, which seemed to be the favorite resorts with them, were most beautifully illuminated by their little lamps, and at each flash of light as they raised their wings, the reflection from the waters beneath added much to the beauty of the scene. Our boat man gave us their reason for selecting this spot, that no mosquitos were to be found in the vicinity of these illuminers of the darkness. This in the present instance much to our comfort we find true, but whether the absence of the mosquitos is owing to the presence of the fly (as the Malays suppose) or to some other cause we cannot say.

Have rowed about ten hours to day, and the distance passed over has been probably, following the bends of the river, about thirty miles, but in a direct line not more than fifteen or twenty.

28th—Awoke this morning between 3 and 1 o'clock and soon after proceeded on our way by moon light. Shortly after sun-rise our boat men stopped to cook and bathe near the mouths of two small streams. The place is called Lunchur Naya, and it is fabled that in former times two very large serpents entered the Kapwas by these streams and pursued their way to the sea. The memories of many Malays are stored with legends of this kind. We found the ground here a little elevated unto something that bore the semblance of a hill, the first we have seen since we entered the mouth of the Pontianak river. At 10 o'clock we saw for the first a blue mountain top. It is called Gunong Tiang Kandang, and is situated between Tyan and Landak. Not long after Gunong Balungei south of Tyan was visible. The course of the river to-day has been very winding, more so than yesterday, and the average width between $\frac{1}{2}$ and $\frac{3}{4}$ a mile—the banks low & covered with an almost impenetrable forest,

29th. Soon after morning our boat last night a heavy shower came on accompanied with most vivid lightning and heavy peals of thunder. We found that the kagang of our boat, which we before considered tight, leaked considerably. We next found ourselves invaded by hordes of mosquitos more numerous than the hosts of Xerxes. In vain did we try to screen ourselves behind our curtains, for in spite of all our efforts numbers of the insidious foe found out our retreat and seemed determined to feast upon our blood—while the more numerous host without kept up a continual roar, and if our hands or any other part of our bodies touched the curtains, we were stung through them. Being thus prevented from sleeping, as soon as the moon arose, which was about 4 o'clock our men were desirous of proceeding on our way to which we did not object.

About sun rise we passed the upper end of Pulau Limbong. On this island there were formerly inhabitants but it is now quite deserted. A few moments more to ok us past the lower or western point of Pulau Jambu or Guava isle, so called from the number of guava trees cultivated upon it. On this island there were a few years since a considerable number of inhabitants, Chinese and Malays, but none at present. Here terminates the jurisdiction of the Sultan of Pontianak, and that of the Panambahan of Tyan begins. At 10 A. M. we passed the head or Eastern end of this island. On this point there was formerly a small wooden fort, and another on the western end of Saparoh a small island in the river a little higher up. At Tonjong Juring a point on the shore opposite to Pulau Jambu lying Northward of it, there were formerly many Dayaks, who not long since removed further into the interior. On the south of this island there is another outlet of the Kapwas, by which part of its waters pass to the sea. The fork at the Kapwas is called

Sindang Dawak, and the mouth of the stream where it enters the sea near Suceadana Qwala Mindup. The volume of water passing this way to the sea is considerable but not to be compared to the Panggar at Sukahanting. Northward of the island some distance into the interior are the first settlements of Dyaks found in ascending the river. At half past ten o'clock we stopped for rest and refreshment at the lower end of Pulau Saparoh. Here were two Malay dwellings, the first seen since last night, containing some fifteen or twenty inmates. The situation is pleasant, on rising undulating grounds, and the soil apparently rich,—nothing seemed wanting but the hand of industry to make it a delightful spot. In the afternoon passed Pulau Kotipo another small island in the river. Several mountain peaks were now visible, and on the right shore three small Dyak huts, the first we have seen. Near sun-set reached a place called Jang where we stopped for the night. Here were three Dyak dwellings into one of which we entered. The inmates received us cordially, and answered cheerfully our question; which were proposed in order to ascertain whether their language bore any resemblance to that of Banjarmasin Dyaks, in whose language we have a small elementary book, but we could not learn that there existed any resemblance in proper or common names. As soon as we returned to our boat, the Dyaks brought us the present of a fowl, cucumbers, and a little rice, for which we gave them a small present in return.

30.—About 4 o'clock this morning we left Jang anxious to reach Tyan at early an hour as possible. We now saw a few Dyak dwellings on each shore. A little before 7 o'clock we stopped near one of these habitations for breakfast. We stopped on shore and entered the house, which stood in a patch of paddy ground; and found the occupants a truly interesting family, consisting of a man, his wife, & two sons. The man was of really noble mien, about 6 feet in height with an open intelligent countenance, his eyes dark, and cheek bones high—while his erect form, athletic and well proportioned limbs, indicative of great muscular power, rendered him a fit subject for the sculptor's chisel. His sons, probably about 11 and 12 years of age, of well formed limbs, and bright pleasant countenances had just arrived in a boat from the opposite side of the river. They were entirely naked. It was truly pleasing to see them hanging upon the father and manifesting such strong filial affection as they did for him. When asked whether they would go with us to Pontianak and be instructed, they replied they could not leave their father and mother. The wife was in the rice field in which the dwelling stood, gathering in a large rattan basket the ears of the rice, and another grain new to us, the cultivation of which seems confined to the Dyaks—she soon bent her steps homeward with her basket of grain which was held in its position on her back, by a strap passing from it to the forehead. She paused when she first saw us, as though afraid to approach, but again advanced after a few words addressed to her by her husband. They all understood and conversed quite fluently in the Malay language. The man confirmed what we had before heard of the Babel like diversity of languages among this people. Almost every separate tribe has its distinct language understood only to a very limited extent by the nearest neighbouring tribes. The absence of books among them (the first attempt to commit their language, to writing with which we are acquainted being that of the German brethren at Banjarmasin, in the elementary work above referred to;) and the existence of the most deadly feuds and animosities between the various tribes, presenting to mutual communication a barrier more impassable than that of mountains and seas, are probably the principal causes of this diversity. Where you to meet with Dyaks of such and such places could you hold communication with them by a common language, we inquired of this man. How would I dare visit them, was his instantaneous reply. By such an act of temerity, I would lose my head. When we looked at this interesting family group, only the representatives of thousands and tens of thousands with physical and mental qualities not inferior perhaps to them, we could

not help sighing when we considered their gross ignorance and superstition, the tyranny exercised over them, and the cruel practices to which most are addicted. Oh! that God would have mercy upon them and grant that their dark minds may soon be enlightened by the glorious rays of the blessed gospel. Upon leaving the Dyak dwelling its owner offered many apologies because he had nothing to present us.

At 8 o'clock met the Gezaghebber of Tyan accompanying his son and the greater part of his family as far as Pulau Jambu on their way to Pontianak. The term Gezaghebber it will be seen is of Dutch origin (but what precise idea they attach to the word we have not yet been able to ascertain) He is the Dutch excise officer at Tyan, and exercises some authority on the part of the Government there. A small swivel was mounted on the bow of his little boat while several muskets lay at his side. His son followed in a large boat propelled by a kind of tread wheel worked by men. He expects soon to follow his family to Pontianak and is to be succeeded by a Dutchman who at present has the command of one of the guard schooners. Before 10 A. M. passed two low mountains Sumbayin and Champidik some distance from the river on the left. The mouth of the creek that takes its rise in the latter mountain we passed some hours previous down the river. Here are situated some eight or nine Malay dwellings, while near the source of the stream & around the base of Champidik there are a few Dyak deses containing a population of some three or four hundred. These Dyaks are under the Panambahan of Tyan. Panambahan is a little given to a prince next in rank below a Sultan. At this place also we came in sight of a few Chinese dwellings, the first seen since leaving Teluk Kompei about 11 o'clock Tyan mountain appeared in sight, and shortly after we passed the mouth of the river Buzung on the right. Here is a small Malay Kampoung and a wooden fort erected by PANGRAJAYA who resides here a part of his time. He is under his jurisdiction at Balungei, 1 or 1½ of a day south of Tyan, 200 Dyaks and about 1,300 at Mithambo it one day east of Balungei. This Pangeran is not independent but is only a deputy of the raja of Matan whose authority extends to the Kap-
was between the above and one o'clock we reached Pulau Tyan, a small island in the river on the eastern point of which is the Dutch fort and the residence of the Gezaghebber. The Dutch have only 12 natives soldiers stationed here at present. Before the departure of the Gezaghebber's family (60 in number) there were on the island about 200 Malays. The Chinese Kampoung is also on the island. The Chinese population is partly of mixed character; part of *Tio Chien* and part *Khek* numbering not more than 60 or 70 souls, including a few engaged in working mines a short distance down the river. The gold mines however, in the vicinity are small worked by from two to six men, are said to yield at present but small quantities of the precious metal.

The revenue of the Dutch Government here arises from an impost on all produce and merchandize in boats ascending and descending the river, the privilege of working the mines selling of pork, opium &c.

A short distance north of Pulau Tyan on the banks of a small river which empties into the Kap-
was is the village of Tyan, properly so called, containing according to the Gezaghebber about 250 inhabitants. Here the Panambahan resides, within whose jurisdiction there are 700 Cawangs (or doors) of Dyaks and probably between 3,800 and 4,000 souls. There are difficulties existing between the Dyaks of Tyan and Landah which it is expected will break out into open hostilities on account of the pertinacity of the rulers, especially of the Panambahan of Tyan. The Dyaks of Landah are said to be the aggressors. The Panambahan having sent out his summons to all the Dyaks under his command, is now absent in the interior exerting force and making other preparations of defence, as he is the weaker party and will probably act on the defensive should the difficulties terminate in war. An influential Malay man under him called upon us this afternoon and asked for

books. We gave him a number; a part of which we requested him to give to his pagan-
icque master, which he promised to do, and seemed to be grateful for those given him.
This evening we had a long conversation with one of our boat men respecting the christian
and mahomedan religions. We endeavoured to show him the deficiency of his system,
particularly on the great point of satisfaction for sin and the superiority of the christian
system which so precisely meets the sinner's case. He listened attentively to what was
said, but seems very much prejudiced in favour of his own religion.

31st. At eight o'clock the hour of his appointment we called upon the Gezaghber
who had returned from his excursion down the river, a little after midnight. He received
us politely and contrary to the native custom invited us to sit upon chairs placed around
a small table in the middle of an open hall. Coffee, rice, cakes, and confectionaries prepar-
ed in Malay style were then brought in and set before us. The Gezaghber is a brother
of the Sultan of Pontianak and a man of considerable intelligence. Learning from a let-
ter from the Resident of Pontianak as well as from our conversation, our wish upon our
return from Sangau to go overland to Landak, he gave it at his opinion that it would
not be prudent at present to cross, owing to the excited state of the Dyaks between
the two places, but proposed instead, that we should go up the river to Sintang five or six
days beyond Sangau, kindly offering at the same time to give us a letter to one of the most
influential Pangerans of that place. We concluded to follow his advice, as we were
unwilling to give any just occasion for the charge of rashness which might have been the
case had we determined to carry out our original plan in the face of the opinion of such a
man. The distance between Tyan and Landak is about three days, one day by water
ascending the Tyan a small winding stream—then one day by land to Sabarang on the
Landak river, and from Sabarang one day to Landak ascending river. From Landak to
Tyan the journey might be made in a day less, owing to the currents of the rivers favour-
ing. Banks of the river are about 6 or 7 feet above the present level of the river, but are
sometimes inundated during the heavy rains. Having received the Gezaghber's letter,
we left Tyan about 11 o'clock for Sigalam some 3 or 4 miles distant up the river on the
right shore.—This is the residence of Pangeran ADAPATI who had sent us an
invitation to visit him. He formerly resided in Tyan near the Panambahan; but owing
to some difficulties that arose between them he left a few years since, and fixed his resi-
dence in this place. On our arrival we were conducted into a large balei or front hall of
the dwelling house, and took our seats by a long table covered with yellow cloth (upon
benches covered with rugs.) The hall is large, as are nearly all we have seen in this part
of the world, being about 50 or 60 feet by 35 or 40, and open on three sides except a
slight railing. The posts of most of the timbers are kagu bilian (iron wood,) and the roof
of shingles laid on lath without any fastening except small wooden pegs to keep them from
sliding down. Indeed all shingle roofs here are thus put on as the wind is seldom if ever
of sufficient force to blow them off. The floor is of round poles from one to 2 inches in
diameter laid close and made fast by rattan to timbers beneath. On this floor coarse mats
are spread. Finer ones and rugs are sometimes laid over these, especially where persons
of consequence are seated. Soon after our entrance the Pangeran made his appearance.
He is not of the most prepossessing exterior but amiable, polite, and hospitable. The male
part of the Pangeran's household, and others, as is customary, were seated around listen-
ing to our conversation and conversing together. Females are seldom seen except peeping
from behind some curtain or through some opening to get a sight of the visitors. The
Pangeran &c. an interesting young man, his nephew, whom he has adopted, made many
enquiries respecting our business, object in ascending the river, mode of support &c.
And on all these points we gave them all the satisfaction in our power. Being desirous of
visiting the Dayaks under this chief of whom he had heard much, we asked the privilege

which was readily granted. the young man above spoken of accompanied us. The Dyak kampongs are $\frac{1}{2}$ or $\frac{3}{4}$ of an hour up a small stream. This we ascended in a boat furnished by the Pangeranas ours was too large for the purpose. With the exception of a few hills the banks of this stream were low and heavy wooded. In this vicinity is found the timber for the junk masts with which they are furnished on their annual visit to Pontianak. They bring old cedar masts which on account of the character of the wood they part with to considerable advantage in the Chinese campong. They then furnish their vessels with new masts from the timber of this island which on their return to China they sell at a handsome profit.

JOURNAL OF A TOUR ON THE KAPWAS.

(Concluded from page 32.)

We found Dyak kampongs situated along the stream and on the banks of a small lake in which it takes its rise. The principal part of the dwellings are built upon the brow of a hill that rises abruptly from the water's edge, and so concealed by fruit and forest trees, that they were scarcely perceptible from the boat when we landed. We were agreeably surprised in not witnessing that poverty and degradation which we had anticipated. The houses were much better than we expected to find them; and marks of industry were every where visible, which are looked for in vain in Malay villages. We ascended first to the house of the Tamangong, or head man of these kampongs. This man, according to his own statement, was once guilty of the practice of cutting off heads; but has long since laid it aside never, we hope, to take it up again. When spoken to on the subject of the instruction of Dyak children, he seemed pleased with the idea. He is considered rich for a Dyak, his property being valued at between two and three thousand rupees. His house, accordingly, we found rather spacious, but built after the true Dyak style. The general mode of building is this: all the houses, or nearly all, in a kampong, are erected on posts of the same height, generally about 10 or 12 feet, and are all joined together under one roof, with only slight partitions to separate the families. Each door marks a household; hence results the mode of reckoning the population, not by so many houses, but by so many *lawangs* or *pidus*. The roof is commonly of bark, sometimes of kajang; the sides of bark, from the roof to the floor generally slooping inwards; and the floor of poles, as the Malay halls before described. The windows are in the roofs of the houses, a portion of which is raised by poles, to a horizontal position, for the admission of light and air, and for the emission of smoke. In some of the small single houses that stand in the paddy fields, these apertures occupy nearly half the roof. The fire places are in the houses, under or between the windows. Before the houses and on a level with the floor, and resembling it, is a wide open platform, generally the whole length of the village, on which they walk, dry and thrash their rice, &c. They ascend to their houses by notched timbers, laid in a slanting position, or by rude ladders formed of round poles lashed together by rattan. Under their houses they keep their swine and poultry; but the latter often seem quite at home above the floor. The number of *lawangs* in these kampongs is one hundred and twenty; and the whole population does not fall much short of six hundred. The *asil* or *tax* paid by these kampongs is two rupees each *lawang* to the Pangeran; who in addition to this considers that he has a claim upon their services for a portion of their time. They accordingly assist him in cultivating some paddy ground, and in erecting houses when they are required. The time not employed directly in the service of the Pangeran, is spent in the cultivation of rice, collecting rattans, &c., which articles they may sell to whom they please—privileges granted to few, if any, other Dyaks under Malay chiefs. All the Dyaks of *Sugalan* have long since abandoned the cruel practice of cutting off heads, and seem in some degree convinced of the evil of the practice. They have also lost their own language and speak nothing but Malay. The number of swine seen under their dwellings, afforded ocular demonstration that they have but little if any desire to become Mahomedans. Their love for the flesh of these animals, as the young man who was with us remarked, is a great obstacle in the way of their embracing Islamism; "but," added he, "they would perhaps like your religion better." Judging from the known character of the Pangeran and his connexion with the Dutch Government, we think there would not be any serious difficulty in the way of a missionary labouring for the spiritual benefit of these Dyaks. The smallness of

the number, however, might be an objection to his locating there, except he could have access to the Dyaks of Tyan, and those of *Ballunget* and *Milion* on the south of the *Kapwas*.

April 1st.—Though we arose very early and were prepared to set out on our way about 4 o'clock, the strict Mahomedan was up before us and engaged in his devotions. Whether this is a constant practice with the Pangeran's household and those around him we did not learn, but rather suspect they arose thus early this morning to show us how devout and what good Mus-sulmen they were. About 7 o'clock passed a low mountain of conical form, and at 10 passed *Milion*. Here again is a native of Port. A high fence of round timbers, set upright, encloses an area of probably 200 feet square and within this enclosure are two or three small buildings. It stands in a somewhat commanding position on the brow of a small hill, at the foot of which, where a small creek falls into the *Kapwas*, are some ten or twelve Malay houses. At this place and at *Ballunget*, Pangeran Jaya alternately resides, as has been before remarked. The general course of the river today is about west—average width nearly half a mile. About 1 o'clock p. m. passed a somewhat rocky shore. Towards evening a long range of hills appeared in front at some distance. But the banks of the river after passing *Milion* appeared low (bearing evident marks of being inundated during great swells) heavily wooded, and almost altogether uninhabited.

2nd.—Near six o'clock we left our lodging place, which had been the uninhabited and woody shore far from any human dwelling. The screams of the monkeys in the adjoining forest were almost incessant. About 9 o'clock we passed point *Suntok* on the right, and shortly after a mountain range of the same name. The highest point of this range is probably about 600 feet. Between this and the shore are gold mines worked by about 30 Chinese. At 10 o'clock we passed another mine worked by some ten or fifteen men; and shortly after, on the same side of the river, *Samarangket*, a Malay town containing about 40 houses. The town is on the increase, and is more pleasantly situated than any other we have passed since leaving *Pontianak*. It stands on an elevation; and in front of it on the opposite side of the river is the beautiful ridge of *Suntok*, mostly covered with primitive forest. About 2 p. m. passed a range of hills on the right, with cultivated spots; giving to the distant prospect an air of cheerfulness in our eyes, accustomed as they had been to gaze upon the low, dense forest or wooded hills, while the few traces of cultivation have been in narrow strips along the shore. During the course of the afternoon passed several mines worked by Chinese, a few being employed in each mine. We saw also some hills under cultivation by the same people. Near evening passed a small creek, where there were a few Chinese inhabitants, who are also engaged in mining operations. At half past 6 o'clock we stopped for the night at a place called *Rantu Skiang*, where there are a few Malay and Chinese inhabitants. Here is a gold mine in which ten or twelve Chainaman are employed. There is also a diamond mine in the vicinity. In the evening both Malays and Chinese came on board our boat, and brought with them small presents of rice and dried fish. The Chinese who work these mines, as well as the Malays who superintend them, are exceedingly superstitious. They informed us that for some years past there had been a diminution in the quantity of gold obtained, and said with the utmost apparent credulity, that it was owing to the power of some *hantu*. If these invisible beings became for any reason displeased, the gold they say will *lari* (run away).—How much need has this people of the enlightening influence of the gospel to divest their minds of these childish superstitions.

The course of the river to day has been very winding, the current rapid, but the width not as great as yesterday. The shores have appeared higher than before. Low

mountains were visible the whole day, some of them quite near the river. There are a few Dyak kampongs, it is said, scattered among these mountains, but they are small and unusual at some distance from the river.

April 3rd—Reached *Sangau* at a few minutes past 11 o'clock A. M. The town is pleasantly situated on the left bank of the river, amid a grove of cocoa and other fruit trees, and presented, as we approached from the opposite shore, quite an imposing appearance in connexion with a large number of trading boats and floating houses which lined the river. We stopped at the Chinese kampong and immediately dispatched a messenger to the *Panambahan* to ask an interview with him, and learn at what time it would be most convenient for him to receive us. He appointed the hour of 1 P. M. for audience, giving as a reason that the heat would then be less intense. In the mean time Chinese, Dyaks, and Malay children came around the boat to get a view of the strangers, and for other purposes. The Chinese (among whom were two who bore the title of Captain) as in other places, questioned us respecting the time we had been coming from *Pontianak*—what we had brought for trade—whether the wankaugs (junks) had arrived at *Pontianak* from China &c., &c. The Dyaks, after gratifying their curiosity with a sight of us, asked for tobacco, which they prefer to any thing else.

At 2 P. M., although the heat was oppressive, the thermometer standing at 90 of Fahrenheit under the kajang of our boat, we walked through the Malay kampong, followed by a number of men and boys. The houses are raised high and sufficiently ample in their dimensions; but constructed of rude materials and set without the least regard to order, in the wildest confusion imaginable. There were some scattered fruit trees, the intervals between which, and the space around and under the dwellings, were filled up with logs, stumps, and every species of filth; and not the semblance of a road or decent path appeared. By the help of our Malay men, who were skilful guides in this chaotic labyrinth, we wound our way from West to East, sometimes over solid ground, then over old logs, planks and poles laid on mud, &c. If we gained nothing more by this walk, we at least obtained proofs, by ocular demonstration, of the aversion of the Malays to labour. Wherever we passed there was a general rush of men, women and children to the sides of the way, and to the doors and verandahs of the houses, to see the *orang putih*, a sight which many of them, particularly the females and children, had probably never before enjoyed.

At the appointed hour, in company with one of the Chinese Capts. we called upon the *Panambahan* at his dwelling, which stands at the upper end of the kampong and is of somewhat imposing appearance. He received us near the door of the hall of audience, returned our salutation in European style, and invited us to take our seats on the floor, upon mats which had been spread for us. Having presented our letters from the Resident and Sultan of *Pontianak*, they were read by his secretary in our presence. The *Panambahan* seemed little inclined to introduce conversation himself, or to converse when we attempted to start a topic. This we did several times, by referring to the contents of the letters we brought; and our wish to ascend the river. But our efforts were ineffectual, for he would only answer our questions, in simple affirmatives or negatives. From this embarrassment however we were in some measure relieved, after some time, by some that were present, especially by a younger brother of his and the secretary, who addressed us and entered into conversation in a somewhat free and familiar manner. The *Panambahan*, throughout the whole interview, seemed to be in a state of agitation and embarrassment. When we arose to withdraw, many that were within (for the hall was full) rushed out; and as soon as they were without, raised a shout which rang through the premises and made it evident that it was difficult for the *Panambahan* to preserve

decorn within and about his dwelling, whatever might be his power beyond these limits. After leaving the hall of the *Panambahan* we called upon Pangeran *Parabu* (the Malay officer who owes his appointment to the Dutch and collects their customs in this place) to whom we had a letter of introduction from the Gezaghbeher of *Tyan*. He received us in a friendly manner and invited us to take our seats upon chairs, and entered freely into conversation with us. Our interview with him, throughout, seemed rather in striking contrast to that with the *Panambahan*. The river *Skiam*, which falls into the *Kapwas* just above the town of *Sangan*, the Pangeran informed us, has its source far in the interior, where it has a very rocky channel and in one place a high fall of water. It is a winding stream and one of its beds approaches the *Landack* river, from which there is a foot path across to that town. There is, however, an overland route to *Landak* more direct, requiring not more than three or four days. This path has been variously represented to us: some say it is a good one, others say that the Dyaks have purposely rendered it almost impassible. One thing is certain, that the Chinese do hold communication in this way with *Landak* and *Mandoor*.

4th.—At 8 o'clock this morning, accompanied by a son of the Pangeran, we set out to visit a rock, with inscriptions, on the right bank of the *Skiam*. It is now called *Batu Intie*, formerly *Batu Sampei*, because the chief and others in previous years always stopped here in ascending the river. About $\frac{1}{4}$ of a mile above the mouth of the stream we came to a small rocky glen, through which a little rill empties itself unto the main stream. Here we stopped and ascended the bank. One of the boatman preceded with his parang, and cutting away the bushes prepared a way for us along the sides of the glen and the rocky bed of the stream: (for the rock has recently been so seldom visited that the path was quite overgrown with bushes.) At the distance of between fifteen and twenty rods from the bank of the *Skiam*, and at an elevation of some thirty feet above the level of its waters, we reached the spot. We had heard of this inscription at Pontianak, but always imagined that it was to be found upon some stone or stones belonging to the ruins of some sacred edifice. What was our surprize then to find the letters cut in a solid perpendicular rock about 12 feet in length and 6 feet in height, extending quite across the ravine, over which the water was falling in a limpid cascade. The space covered by the characters is about 4 feet by 2 of the perpendicular surface of the rock. The general opinion here among those who venture one, is that the language is Sanscrit and the inscriptions are the relics of Hindooism. Confirmatory of this opinion it seems to us is the fact that in the span, another branch of the *Kapwas* a little farther up, have been found rude images of the sacred cow. A few years since, slabs with inscriptions and the image of a female sculptured in stone, were taken from the vicinity of *Sangan* and shipped for Batavia, but the vessel was lost on the passage.

On our return from the rock we called again on the Pangeran, who informed us that the *Panambahan* would permit us to pass up the river. Although we spoke in our late interview of our wish to ascend the *Kapwas* as far as *Sintany*, we did not ask formal permission to do so. On subsequent reflection we thought proper to request formally this privilege through the Pangeran; as the people of *Sangan* several months since declared that no boats from Pontianak should pass the place. By a former treaty with the Dutch, trading boats were permitted to ascend by paying to the authorities for this privilege a sum varying according to the size of the boat and the value of the merchandize, from 20 to 60 sometimes even to 100 rupees. Not satisfied with the revenue thus derived, the authorities now, in the face of the treaty, stop the boats, buy up their cargoes, and completely monopolize the trade of the interior. This is so considerable that the Bugie and Malay traders are willing to pay a sum, considerably exceeding the former rate of duties, if they will suffer

the boats to pass. The Dutch authorities are highly exasperated at this infraction of the treaty, and threaten to send up a gun boat, to enforce compliance. As they are dependant on *Pontinnak* for many articles by them deemed quite indispensable, they will undoubtedly yield. It was our intention to have left *Sungau* to day, and to have gone a short distance up the river, with the hope of spending the Sabbath more quietly than can be done in this place. But at the house of the Pangeran we found, on our return, a messenger from the Panambahan, with a request (made however in a somewhat peremptory tone) that we would remain until to morrow, as he wished to send communications by us to *Singlang*. Thus we were in a measure compelled to remain in the place until Monday morning. After receiving this message we returned to our boat, where we had constant calls for books from Malays and Bugis until 7 o'clock at night. Never before have we witnessed such a desire manifested by Mohammedans for Christian books. Indeed, our objects, and all concerning us seemed novel to them and elicited many questions. Several small parties of Dyaks from the interior have also visited us, and during all the afternoon we have seen them passing up and down the river in boats. The Chinese, as usual, have paid us frequent visits.

Sungau, which, as before stated, stands on the left bank of the *Kapwas*, contains a population of nearly 3,000 souls, two thirds, perhaps three-fourths of these, are Malays, the remaining fraction chiefly Bugis. Besides these there are some twenty or thirty Dyak slaves, and in the Chinese kampong forty or fifty Chinese. The whole number of Chinese under the Kongso of *Sungau*, according to the Captains' estimate, is about five hundred. This population is very much scattered. Except those in the kampong in town, they are found in small settlements not exceeding twenty or thirty in a place, and are almost exclusively engaged in mining.

As respects the number of inhabitants in any Malay town, we find it very difficult to obtain an exact estimate. Those whose situation affords the best opportunity for obtaining the requisite information, are either unable or unwilling to furnish it. The number of houses in a place are sometimes taken as a standard; but the average number of persons so dwelling varies so much in different towns as to make this, to say the least, a difficult method. If the number of inhabitants of *Sungau* (for example) were estimated at an average of 5 or 6 to a dwelling (a fair estimate for *Pontianak* and some other places) we would come at least one half short of the truth. The number of inhabitants of *Sungau*, however, as well as other places on the river, is for less now, it is said, than when the island was under native rule, and *Succadana* (now called *Nieu Brussels*) was in its glory. The character of the inhabitants of *Sungau* differs little from that of other Malay towns we have visited, except that the male population are, if possible, more indolent and feel more independent. So great is their indolence and pride, that not a foot of land, as far we could see or learn, is cultivated by them. They obtain their subsistence from their Dyak subjects and the trade of the interior. The females, however, seem more industrious. They manufacture considerable quantities of cloth, from yarn brought from Singapore, and Batavia, and from the interior, where cotton is cultivated to some extent by the Dyaks. In our walk through the town, we saw many looms in operation under dwellings. The looms are very simple and rude in their construction, and the process of weaving laborious and slow. A hand's breadth is the work of a day, and a single garment requires a month for its completion. The cloth appears well and is of firm texture.

The banks of the river are but a few feet above the present level of the *Kapwas*, and are sometime inundated during the rainy season. The Dutch once had a fort on the right bank of the river opposite the Chinese kampong; but no remains of it are now to be seen.

Their authority, however, is still so far acknowledged that their agent, Pangeran Parabur, exacts a tribute from all boats coming down the river, and all from Pontianak. The soil in the country of the town is a mixture of yellow clay and sand, with only a thin layer of black mould on the surface; but judging from the small spots we have seen cultivated by Chinamen, it seems well adapted to the cultivation of sugar cane and several kinds of vegetables, such as the yam, radish, cucumber, egg-plant, bean, &c. The chief exports from *Sangau* are gold dust, rice, rattan, bees' wax and a species of vegetable oil.

In the district of *Sangau*, extending several days in every direction, there are three tribes of Dyak, together numbering 500 *labangs* and probably 3,000 souls. Two of these tribes are several days in the interior on the banks of the *Skiam*. One of these, the *Jangkang*, is addicted to the horrible practice of cannibalism. Except this and a single tribe on the Eastern coast, we have not heard of any other portion of the people who eat human flesh. That the practice prevails to no inconsiderable extent among this tribe, there is no longer in our minds the shadow of a doubt. One man with whom we conversed had seen them making their meal on the human frame. They themselves confess it with boasting, and give as a reason for the horrid custom, that it makes them courageous. How could we be brave, said one man, if we had never tasted human flesh. They do not eat indiscriminately all parts of the body, but with a most horrid kind of epicurism, feast with the greatest relish upon the tongue, brain, and muscles of the leg. The men of this tribe, file down their front teeth to a point like the teeth of a saw. This, while it may fit them for the indulgence of their favourite propensity, adds not a little to the ferocious appearance of these man-eaters. The practice of cutting off heads is also their confession and boast. They seem to consider it their greatest glory. An old man of great muscular strength, drew his sword and, with an exulting smile, declared that with it he had decapitated twelve men. When we expressed our abhorrence of the practice, and our hope that in future they would live in peace with each other, an other old man said—"but if we have a debt we must discharge it." Thus, when one head is cut off, it creates a debt which, in the opinion of the parties concerned, must not be suffered to remain uncanceled; but the cancelling creates a fresh demand for blood. In this way a kind of running account is kept open in the work of mutual slaughter, never, we fear, to be settled until the Gospel shall teach them the sublime doctrine of forgiveness and the blessings of peace.

The Dyaks kept as slaves in the town of *Sangau*, are of the *Jangkang* tribes. Some of them were brought from the interior for killing a Malay man, and others for different crimes. When a Dyak murders a Malay here, seven men of his tribe are demanded for him, who are disposed of as the Malay chief thinks proper, and are generally killed or enslaved. These Dyak slaves are employed, a part of their time, in the manufacture of swords of a peculiar form, and other articles in demand by the Dyaks of the interior, which are sold to them by the Malays at a very great profit. They also perform most of the difficult manual labour about the place.

Dreadful havoc has been made among the tribe of *Sangau* on the North and East within three years past. Whole villages have been entirely cut off. The *Sadong*, a tribe of Bruai, have destroyed 500 on the *Skiam*, and the tribes of and near Sintang, 200. If this destruction of life should continue a few years longer, these tribes must become extinct, except they remove to the vicinity of their Malay masters—to which Dyaks generally are extremely averse—or take better measures for defence than they have hitherto done.

The men of the *Jangkang* tribe are in many respects a noble race. In stature, in the features of the face, and in their well proportioned and muscular limbs, they excel all Dyaks we have yet seen, with one or two individual exceptions.

The Jangkang Dyaks, and most other tribes, go nearly naked, wearing only what the Malays call the *chawat*, a narrow cloth or bark about their loins. On the right side they carry a *tangkang*, a small ornamented basket made of rattan. This contains two pieces of ornamented bambu five or six inches in length, and about 1½ in. diameter, and a little bark. The bambu tubs hold their quicklime and tobacco, while the *sirih* is wrapt up in the bark. This basket or pouch is fastened to the body by a narrow belt, ornamented with small sea shells. On the right side they carry the *Sinda*, a sheathed knife, of long, slender blade, used for ordinary purposes and for trimming off of the ears, &c. of heads taken in war. On the left side hangs the *lansa* or sword for cutting off heads. Such is the weight of this weapon, the keenness of its edge, and the power and skill of the arm that wields it, that a single stroke generally severs the head, and sometimes the arm from the body. Of those who have their heads covered, some, like the Malays, wear a handkerchief. Others, particularly when going to war, put on a kind of cap made of rattan, in which they stick long feathers taken from domestic fowls or the large wild birds of the island. Of ornaments this tribe is very fond. Those who can procure them wear several strings of beads or shells, or both about their necks. Their estimation of these is generally in the inverse ratio of their size. On the arm above the elbow some wear a kind of ring imported from China about two inches broad, formed of horn, bone and sometimes of mother o'pearl. They are valued at several rupees each. Others wear rude articles of domestic manufacture cut from wood or coconut shells. On their wrists and fingers they wear rings and bracelets of some metal, iron, copper, or gold, according to the ability of their wearer. Their ear pendants are small silver coins, such as quarter and half rupees or circular pieces of tin of the same size. Some of the tribes wear fewer ornaments than the *Jangkang* and somewhat different; though the passion for ornaments, particularly for beads, seems quite general among them. One tribe of *Sangan*, the *Ribut*, wear clothing similar to the Malays, at least when they leave their kampong and visit Sangan for purposes of trade. They are darker in complexion and inferior in strength to the *Jangkang*.

In the absence of all written language, the Dyaks, or some of them at least, have a kind of symbolic mode of communication exceedingly simple. A Malay man, sitting on our boat, first informed us of it, and appealed in confirmation of what he said to some Dyaks seated on the shore requesting them at the same time to furnish us with a specimen. They immediately took their knives and cut out the forms of two sumptuous arrows,—one somewhat longer than the other. On both notches were cut. These arrows are, if we have been correctly informed, sent round to the different *desas* of the same tribe to rouse them to war. The notches on the smaller arrow denoting the number of days before the attack is to be made, and those on the larger the number of men demanded from the different villages. They sometimes burn the end of these sticks, and paint the other red, denoting they intend to burn the village and destroy all the inhabitants. They also use sticks of other shapes, and balls for the same purpose.

Monday, April 6th. The greater part of the Sabbath we passed in a room of the Captain Chinaman, where we hoped to be more free from interruptions than upon our boat. But in this we were mistaken. Our *bilik* having no door, Malays and Dyaks crowded in until it seemed quite as public a place as the boat. Some came merely out of curiosity as the Dyaks, and some for books, who were supplied.

About 5 o'clock this morning left *Sangan* for *Seaddan* and *Sintang*. Having engaged our men at *Pontianak* to go only as far as *Sangan*, they absolutely refused to go further unless we procured additional rowers, on account of the greater strength of the current

beyond this, and supplied our selves with weapons of defence. To have procured a new set of boatmen would have been inconvenient, perhaps impracticable ; or if practicable would have been attended with much delay and not have relieved us at all from the necessity of which we speak, for so custom ary is it for all boats going up the river to take this precaution that we had not the slightest reason to suppose that if we had obtained new boatmen they would have pleaded for it less strenuously than the others. The alternative, therefore, seemed to be to comply or return home without seeing any more of the interior. We consented, therefore, though reluctantly, and Pangefan Parabu kindly furnished us with three rowers, two in addition to our former number, and one to supply the place of one of the oarsman from *Pontianak*, who is incapacitated for labour by a recent attack of ague and fever. The Pangeran also furnished us with a small brass swivel, weighing 80 or 100 pounds, an old rifle with a broken lock, an old musket, and four Dyak spears. Thus equipped our men were content to proceed cheerfully on the way.

Between two and three hours after leaving *Sangau* we touched at a Dyak campong called *Pengalali*. The number of inhabitants is about two hundred, who, like the Dyaks of *Sugalam*, have lost their language and speak nothing but Malay; and what is more, they have become the disciples of the prophet of Mecca. The very appearance of the village seems to indicate this, according to true Malay style being composed of scattered dwellings surrounded by fruit trees, among which the plantain predominates. But in the conduct and appearance of the inhabitants the most marked change has taken place. Some of them were engaged in their prayers when we arrived. They were as loud and apparently as devout as the Malays. Their new faith has also made a great metamorphosis in their dress. The *Chawat* and beads have given place to the turban and full dress of the Malay. The inhabitants of this village are under the rule of Pangeran Parabu of *Sangau*. They originally lived farther up the river, but on their conversion to Mahomedanism, they left their houses and settled on this spot, probably on account of the protection offered by their vicinity to a large town. This event occurred about six years ago. There is another settlement of Dyaks below *Sangau*, of nearly the same size, who have become Muselman. Other kampongs belonging to *Sangau*, it is said, wish to follow their example, but are prevented by their Malay masters, who find them less profitable subjects after than before their conversion. This desire of becoming Mahomedans is decisive evidence that they are greatly oppressed, else their love of pork and other articles prohibited by the koran, would entirely preclude every such desire. In the forenoon passed a mining district and a range of hills on the right which, near to their termination, were to some extent cultivated. A few Malay houses were also seen on both sides of the river. About noon passed mount *Lintang*, five or six hundred feet high, and a little before sun set *Malan* mountain and a river of the same name. Our stopping place again to-night is the woody and uninhabited shore.

7th. At an early hour this morning, passed the mouths of two small streams on which the Dyaks, who have embraced Islamism above spoken of, formerly dwelt. At 8 o'clock passed the mouth of the *Manawas* a small river, the termination of the Panabahan's jurisdiction in this direction. On this stream there were once many Dyaks, but they are now but few in number. Between 3 and 4 o'clock p. m. we stopped on the left to visit a rock remarkable as a natural curiosity, and still more so on account of the superstitions connected with it. The rock is near the river's bank, and almost parallel with it, and behind it rises a small hill. It is several hundred feet in length, and about 35 or 40 feet perpendicular height. It has a number of apertures, some nearly on a level with the ground, but most of them nearly on a range at the height of between 4 and 5 feet. They are nearly of the same size, rough, filthy, and scarcely large enough to admit the body of an ordinary sized man. The apertures we were told widen and open into caverns sufficiently

large for persons to walk erect in them. These have been peopled by the superstitions of the natives, with a kind of beings who have the power of conferring on visitors strength and invulnerability. Deluded by this belief many visit the rock and present offerings. We saw in one of the apertures, which is appropriated to females, the carcase of a fowl, and in another the sirih leaf with its accompaniments prepared for chewing. In front of the rock were scattered in great abundance the remains of small split baskets, said to be used in bringing offerings to the place. To favored individuals who attempt the entrance, it is said, the rocks open and present a wider passage. The sultan of *Scaddan* has visited the rock frequently for two years with gifts, in consequence of which he is said, and no doubt believed by many Malays, to be invulnerable. So silly and childish are the notions to which this superstitious people yield their ready credence. This rock is called *Batu Tapa*. Soon after we left this place, we were overtaken with a heavy rain, and about 5 o'clock reached *Scadian*. Immediately upon our arrival we despatched a man to ascertain at what time it would be convenient to have an interview with his majesty the Sultan. But the latter had been previously informed of the approach of strangers, and our messenger soon returned with a number of men, who had their orders to bring our boat nearly in front of the palace, and who informed us that at 8 o'clock the following morning their master would be ready to receive us. Between 6 and 7 o'clock in the evening, however, one of the Sultan's men came and gave us notice that his majesty would soon visit us in our boat. This we had not anticipated. In a few minutes he came in a small boat of his own, accompanied by his son, an interesting youth of about 11 or 12 years, and several attendants. In his hand he held a long spear, and his son carried in his hand a small sword, or dagger. He immediately addressed us in quite a familiar manner, and came on board our boat without ceremony or dignity of deportment. We soon discovered that he was quite intoxicated; but this did not much surprise us, as we had previously been told that he drank spirituous liquors to excess. His garments were of the richest materials, but he is very filthy in his habits and appearance. He chewed *pinang* and *sirih*, with the accompaniments, to such excess that the saliva ran almost in streams from his mouth. In a word he has sunk the gravity and dignity of the sovereign in the low and vulgar habits of the common drunkard. His familiarity was intrusive, and his conversation either offensive, or filled with obscenity and low wit, at every fresh sally of which his attendants, as most probably in duty bound, laughed obstreperously. He seemed to be quite suspicious of us, and put such questions to us respecting the regulations of the Dutch Government as we were unable to answer. He appointed an interview in the morning, but requested us to remain until sent for.

8th. Early this morning the Sultan sent us some fowls and a quantity of rice as a present. Soon after the Captain Chinaman called, who informed us that the *Scadian* Chinese amount to only between 1 and 200. A little after 8 o'clock the Sultan sent for us. His palace is a spacious building surrounded by a high enclosure. On one side of the hall in which we found him sitting, were hanging large Dyak shields, and a kind of large frame work over our heads supported a large number of muskets and spears. When we entered he gave us his *tabik*, but did not rise to receive us. We shook hands with him as he sat, and after pulling off our shoes, seated ourselves before him on mats. His conversation was more chaste and rational than the preceding evening, but his appearance indicated that he felt the effects of his bacchanalian revel. Some of his children were present, of which he has no less than seventeen, although his age does not probably exceed thirty. The number of his wives and concubines exceeds twenty. He boldly advocates polygamy, and we took the liberty of giving him plainly our opinion on the subject. The

entertainment he gave us, was what is called here *bubur kacang*, made of *jiluh*, a Dyak grain before described. This was brought in bowls ready sweetened with native sugar, and set before us and several of the attendants. He inquired also of one of our boatmen present, where his companions were, as he was desirous of entertaining them all in the same way. For drink, or rather for rinsing, the mouth of the sirih chewers, water was brought in decanters without cups or glasses. We could not get any information from him respecting the population either Malay or Dyak under him. We informed him of our design in visiting this and other places on the river, and asked him whether he was willing that a missionary or missionaries should be located at *Scaddan*. He immediately replied in the affirmative. Indeed from what we have learned of his character from others, it is probable that if a missionary could gain his favour, fewer difficulties would be found in labouring for the benefit of both Malays and Dyaks than in many other places. He engaged us strongly to call on him on our return from *Sintang*, and promised to procure some Dyak weapons and clothing for us.

Our interview with the Sultan being closed, we walked through the *kampung* which extends along the west bank of the river *Scadden* from its mouth to the distance of half a mile or more. The houses are much scattered, and, as at *Sangun*, we found it difficult at times, for want of any thing like a decent path, to make our way through. The number of houses is about 70 or 80 and the whole population about 800. The *Scadden* is a stream of about 100 yards wide, and where it falls into the *Kapras* its course is from the South East to N. West; but the course lies nearly South and is said to be very rocky. In this way lies a path to *Matan*. In passing through *Scadden* the sound of the loom was every where heard as at *Sangun*.

Gold dust, rice, rattans, and wax in small quantities are exported annually from *Scadden*, but a greater quantity of *Manyax tangkawang* (*tangkawang* oil) than from any other place in the interior. This oil is obtained from the nut of the *tangkawang* tree, which produces only one in two or three years. There are said to be ten species of the nut, each having a different name from the others, and are of various sizes, from that of a common orange to that of the *duku*. The kernel is covered with a hard shell, to separate which it is necessary to immerse them in water for three or four days. After the separation they are exposed to the sun for about the same number of days, until the oil begins to exude, when they are pounded in a mortar and then boiled in water for some time; after which the oil is expressed while hot. This oil has nearly the consistence and something of the appearance of tallow, but generally yellower. It is found in the markets in rolls from one inch and a half to 3 inches in diameter. It is used in the interior almost exclusively for light and culinary purposes. It sells at the rate of from 10 to 12 Rupees per picul.

Left *Scadden* at 10 A. M. and proceeded up the river. Before noon a few Malay and Chinese habitations were seen. Until 3 o'clock continued to meet the river craft, consisting of *bandongs* (covered trading boats), rafts and sampans. Our first stopping place was at a dwelling inhabited by some ten or twelve Dyaks, who had embraced Mahomedanism. The ears of some of the men still exhibited the perforations made by them to suspend ornaments, of which, in their native state, they seem so fond. One of the men had his teeth filed down, resembling those of a saw, as the *Jankong* tribe; and another had a tattooed figure upon his arm. This we were told is practised by some of the Dyaks, particularly by the *Biaju* tribe of Banjarmasin to a large extent. They sometimes cover their entire bodies with figures of this kind. Having punctured the skin they use the gum of a certain tree which, combining with their blood, forms a dark and indelible dye. The occupation of these men is the manufacture of iron weapons and ornamental rings for their Dyak brethren of the interior beyond *Sintang*, from whence they originally came.

Leaving this place near evening, we reached *Sungei Ayak*, a small stream which falls into the *Kapras* on the left; and a little after a Chinese settlement, which bears the same name. Just before we reached this place, mountains higher than any we had before seen on the island were visible in the far distance to the South. In the evening we visited the three principal Chinamen in the place, the *Sapati*, Captain and Captain *Tamanggong*. With each of these, and at some other places in the *kampong*, we left some Chinese tracts, and then returned to our boat.

9th—Early this morning we visited two of the nearest gold mines. The mines in the vicinity of this place are the richest and most extensive of any yet discovered on the river, and the gold taken from them commands a more ready sale than any other obtained in the residency of Pontianak. About an hour's walk brought us to the farther of the two. Our way lay over undulating open grounds and through forests. The soil is a light sand intermingled with white pebbles. When we reached the mine we found in the neighbourhood a few dwellings of the miners, and in the centre the dwelling of the overseer of the mines, which also serves as a place for the transaction of all the business connected with the mines. There we rested a while and left a few tracts to be given to the men when the labours of the day were ended.

On our departure we noticed that this building was prepared for defence, being surrounded by a high fence, inside of which was a breast-work and port holes for small guns; while in the portico of the building, on an eminence, there is, also a small watch tower. After near half an hour's walk we came to the other mine, but as the men were absent taking their morning meal, we merely passed through it. The excavations here are larger than at the other, and the number of men employed near thirty. The ground worked in these mines differs somewhat; in the one case it is a yellow and in the other, a white admixture of clay and sand. It is said the gold when first taken up generally resembles the soil in which it is found, and is not often perceptible until washed. The region of the gold in the three mines is from 15 to 30 feet from the surface. The process of working is something like this. A stream of rapidly running water is led along the foot of the bank in which the superincumbent earth is thrown and carried away by the stream. The earth containing the gold is then taken and piled up, and once in three or four months the gold separated, or *lifted* as the Chinese say. This is done by throwing the earth containing the gold in a ditch, planked for the purpose, about two feet wide and one and a half deep; and a stream of water turned on: When it is thrown in, it is stirred with patules or hoes, and by the force of the water the earth and sand are carried away while the gold and pebbles remain. After the water is turned off, the gold is separated from the pebbles by washing in large trays a little inclined, called *dulangs*. The particles of gold are generally so small as to agree very well with the name given them—sometimes, however, solid lumps, weighing from one to two or three ounces are found. The stratum of earth containing the gold is generally not very deep. In the first mine we visited it is not over four feet. We have endeavoured to ascertain the quantity of gold taken yearly from these mines but have not obtained any thing satisfactory. We hear, however, that the smaller of these pays to the Sultan of *Scaddan* ten bunkals of gold a year, for the privilege of working, and the larger 15 bunkals to a Pangeran of *Scaddan*. The Sultan of *Scaddan* professes to exercise a kind of jurisdiction over this place. His younger brother called *Abang Israel* has his residence on the right side of the river, opposite the Chinese *kampong*, where there is a Malay village containing 80 or 100 inhabitants. The whole number of Chinese in the

District of *Sungei Ayak* is said to be about five hundred. At 8 o'clock we returned to our boat, and after receiving some small presents from the different Captains, proceeded on our way. During the forenoon we saw a few Malay and Dyak dwellings on the banks of the river. At the distance of 8 or 10 miles from *Sungei Ayak*, we passed two gold mines with 40 or 50 workmen. At $\frac{1}{2}$ past 4 p.m. we passed *Spau*, a small Malay kampong on the right shore of the *Kapras*, at the mouth of a small river of the same name. This is the residence of a Pangeran, a brother of a part of the rajah's of *Sintang*. On the *Spau* there are several *desas* of Dyaks containing 1,000 or more souls, who cultivate cotton, as well as rice and vegetables. Some distance into the interior, as before mentioned, there are said to be some images of animals of the cow species, cut from the solid rock, but when or by whom it was done none can tell. There is also an island some distance from the mouth of the river, which produces several hundred gantangs of Salt annually. For a short distance beyond *Spau*, the *Kapras* is very rapid and the eddies numerous, which is owing probably to the short bends and rocky bottom. The banks of the river were very low during the whole day, and no hills of any considerable size were visible.

10th.—Last night, a little after sun-set, we passed the mouth of the river *Balitung*, on which, a short distance into the interior, is a small Malay settlement and the residence of a petty rajah of *Sintang*, Ratu Bagus. On this river there are also some Dyaks, but they are less numerous than those on the *Spau*. Between 9 and 10 o'clock fastened our boat to a tree projecting into the river, far distant from any human habitation. This we were led to suppose was the place to apprehend an attack from *Orang juhal*, if there were any on the river. But our boatmen, although unwilling to leave *Sangau* without weapons to defend us from nightly attacks, soon fell asleep without taking any precautions for safety. This morning was cloudy, and rain fell until the afternoon. Excepting a few small huts, principally on the right shore, the banks of the river during the forenoon were wild and uninhabited. After 2 p.m. the number of small habitations rather increased. The river to-day less winding than before, and the average breadth nearly a quarter of a mile. No mountains or hills in any direction visible.

At 10 o'clock we arrived at the Chinese kampong on the right bank of the river nearly opposite the town of *Sintang*. Several Chinese soon came to our boat although it was a late hour, and put to us similar questions to those put by their countrymen at the other places on the river. They also soon conveyed intelligence to the Malay rajahs of the arrival of white men. One of these named Pangeran *Adapti*, immediately dispatched a man to ascertain whether we were Dutch or English—from whence we had come—our object in coming, &c. After we had answered the questions of the messenger, we inquired of him the customs of the place, and when he thought it would be convenient for the Pangeran to have us call upon him. To the latter question he replied, that he would inform the Pangeran of our wish, and bring us an answer in the morning.

11th.—The man who came to us last night came again early this morning, with the compliments of the Pangeran, and informed us that a boat would be sent when the preparations to receive us were completed. Between 8 and 9 o'clock we called upon the Captain Chinaman, and were received with the usual Chinese hospitality. A crowd of Chinese and natives were soon collected around, and with no other apparent design than of seeing us, asking questions, and hearing what we had to say. About the middle of the afternoon the Pangeran's boat came for us, and conveyed us to his residence. As we passed from the water's edge to the hall, on an elevated plank walk, a salute of five guns was fired, and a number of natives, men and boys, in uncouth dresses and wearing masks, presented themselves and played off all manner of fantastic tricks near the hall.

along side of the walk, all of which was done, they said, to do us honor. The hall and dwelling of the Pangeran were somewhat capacious, but, like all native dwellings, in this part of the world, rude in the construction. We were met by the Pangeran at the door, and were conducted to the farther end of the hall, which was long and dark, and took our seats on mats on the floor in front of the Pangeran and three of his brother rajahs. The hall, as most others we have seen, is a kind of armoury—Dyak shields and other weapons were suspended on the walls, and over our heads were perhaps 50 or more old muskets, which, judging from their appearance, were manufactured at least two centuries ago. We presented our letter from the Gezahbier of *Tyan* and the chiefs of the Sultan of *Pontianak*, the Panambahan and Pangeran Parabu of *Sungua*, all of which were read in our presence. In the communication from *Tyan* we were called *orang Belanda* (Dutch men). As this expression was a mistake as it regards our nationality, and as we feared that an impression might thus be left upon their minds, that notwithstanding our professions we might in some way be connected with the government at *Pontianak*, we took pains to set them right, and again fully informed them respecting our country, our design in ascending the river, &c. When informed of many things with regard to the geography of our country—as its position, distance, extent of its population, acts, government, &c., they listened to us as to those who brought certain strange things to their ears. And how could it be otherwise, as many of them cannot read; and if they could, what information would they gather from their books. Little also is the information they gain from travel, for multitudes here, princes as well as their subjects, live and die without ever having seen the mouth of the river on whose banks they were born, and have passed their lives. We attempted to gain from these Rajah's some information, respecting the Dyak population within their jurisdiction, but failed. They profess themselves utterly ignorant of the number, and say how is it possible to count them. There is reason to believe, however, that it is disinclination rather than ignorance that lies in the way of obtaining from them what we sought. Soon after we entered, tea, rice, cakes, and confectionaries were brought and placed before us, and a considerable number of others. As we were leaving the hall of the Pangeran, five cannon were fired as when we entered. We then returned to our boat, and a little before sun set walked through the kampong. We counted, in passing through, 90 houses besides 30 or 40 built upon rafts and about 20 East of the *Kapuas*. The banks are from 7 to 10 feet above the level of the water at present, but are sometimes inundated during heavy swells. The structure of the houses is much the same as at *Sungau* and *Scaddan*, but rather inferior in appearance, and there seems very little attention given to keep them in repair. They are generally covered with shingles, which are tied on with rattan instead of being held on with pins. The sides are generally of bark or *bambu*, and sometimes of hewn boards. Of sawn boards they know nothing, at least there are none used in the construction of their buildings. The average number of persons to a dwelling is large, perhaps ten. The male population are extremely indolent, more so, if possible, than at the other places on the river. One evidence of this is that a thick forest is suffered to remain from year to year, to within a few yards of the kampong. The females, as at *Sungau* and *Scaddan*, manufacture considerable quantities of cloth for domestic use.

The whole Chinese population connected with *Sintang* is, according to the Captain's estimate, 120 or 130. The mines in this vicinity do not produce much gold, much less, it is said, than formerly. The number of miners, therefore, is few, from four to ten in a single mine, for the privilege of working which they pay to the rajahs from one to three hunks of gold per year. On the same side of the river with the Chinese kampong, a little

higher up the stream, in a commanding situation, the Dutch formerly had a fort. No traces of the fortifications remain except the trenches, which are dry. The first attempt by them to form a military establishment here, if we have been correctly informed, was about twenty years ago; but on account of the difficulty and expense attending it, in a few years it was abandoned. In 1833 the then Resident of *Pontianak*, however, visited the place with a small force, for the purpose of repairing the fort and re-establishing the Dutch authority on a firm footing. But, owing to a misunderstanding with the native chiefs, he rather hastily left the place, since which time, their authority has not been acknowledged. Still their power is feared; and it is owing to this fact, probably, and because they suspected we might be deputed by the government to spy out the land, that the rajahs could not rest in quiet upon their pillows last night until a messenger had been dispatched almost at midnight to learn who the white strangers were and what they sought.

During the time we were in our boat to-day, we had constant calls from Malays and Chinese, and those of them who could read were supplied with books. We also saw several Dyaks, who came in small boats with earthen ware of their own manufacture to sell, such as furnaces and vessels for cooking rice; also vegetables, kajang, &c. There are two tribes of Dyaks in this region, who raise cotton, the *Sabwang* on the *Spau* before mentioned, and the *Katwangan* on the *Kapmas*. Hence come the material which gives employment to the numerous looms of which we have already spoken.

From *Sintang* only a solitary mountain is visible. It is about half a day's journey distant, in an Easterly direction and of conical form. Its sides seem precipitous and rocky, and its summit is probably about 2,000 feet above the level of the river. It is called *Gunong Klaci* or the dark mountain, probably because its summit and sides are frequently enveloped in mists and clouds. From the top there is a large cavern or opening of unknown depth. Cords 1,200 feet in length have been let down without reaching any bottom. From this cavern edible birds nests, in small quantities, are yearly obtained and sold in *Pontianak* at above two hundred rupees per picul. To obtain these nests men are let down with ropes; and after they are taken the places are scraped and oiled in order, as is said, that the birds may build there again. About the foot of this mountain the Dyaks are quiet numerous, there being, according to the estimate an old man who visited us, a thousand men capable of bearing arms.

Monday, 13th. The greater part of the Sabbath was passed in our boat, and as we had anticipated we were constantly surrounded by visitors, either Malay, Chinese, or Dyaks, or all at the same time. In the morning, the man who was first sent to us on our arrival, a Bugis, and to whom we are much indebted for his kindness and attention, called on us with the *tabik* of two of the Pangerans, *ANUM* and *KUNING*, saying that they would be pleased to have us call on them that day. We informed him that it was the Sabbath, and on that day we were not in the habit of visiting or attending to our ordinary avocations, and asked, therefore, to be excused until the next day. The man replied it was according to our pleasure. About 11 o'clock Pangeran *Adapati* called on us. He was much taken with a pocket compass and thermometer we had with us, especially the former, and expressed a wish to have it. We told him it was the only one we had with us, and that we had daily use for it and therefore could not part with it. We promised him however that we would endeavour to procure one for him from our country and send it to him. And here we would suggest the importance of missionaries to this part of the world, especially to this island, being supplied to some extent with such articles as penknives, silver pencil-cases, blank books, perfumed soap, and those above named, purposely for

presents, as presents of some kind are always expected. We know of no articles which at so low a price would be so acceptable. The missionary then, too, would know that he was presenting what is intrinsically valuable and might be very useful; which cannot be said with equal propriety of tobacco, and other articles some times presented. We sent a copy of the Scriptures in Malay to Pangeran Adapati on Saturday, but yesterday when he visited us, he brought it back, saying he could not understand the contents, and therefore it was of no use to him. *But whether his inability to understand it and perhaps to read it was the chief reason for not keeping it, we think rather questionable.

This morning, in company with the Bugis man before mentioned, who offered to be our guide, we took a short excursion up the *Kapmas* and *Melani* rivers. The banks of each, as far as we ascended, are lined with fruit trees, but this is not the season of fruit. The town of *Sintang* stands on the left bank, at the confluence of these rivers, which are both about two hundred yards wide, but the *Kapmas* appears to have the greater volume of water. The course of the *Kapmas* near *Sintang* is from the East or a little North of East, and that of the *Melani* from the South. On both these rivers for 7 or 8 days into the interior, according to native travelling, there are settlements, containing in all upwards of 4,000 souls. The most important places on the *Kapmas* are *Silat*, about two days' journey from *Sintang*; *Salimban*, one day's or a little more from *Silat*, and *Bunut* the farthest into the interior 3 or 4 days' from *Salimban*. *Silat* has a population of about 400 Malays, *Salimban* and *Bunut* about 1,000 each. In the district of *Salimban* is the Manuh tribe of Dyaks, about 100 of whom have become Mahomedans. This tribe, and a few others, believe in transmigration. They say that their ancestors have become *orang-butan* and deer, and that they themselves will become such after death.

About 4 days from *Sintang*, on the left of the *Kapmas* and some distance from it, is a large lake called *Danau Malayu*, which, according to the natives, is two or three days' journey in circumference. The waters are said to be transparent and stored with numerous fish. There are several islands in the lake, two of which are considerably larger than the rest. One of these is called Vander Capellen, and the other Tobias. There are several small lakes near the large one, in which fish are abundant as well as in the streams in that region. The head hunting Dyaks of *Sarebas* and other places, prowl around these lakes and frequently surprise solitary and small parties of fishermen. The large lake is the source of a small river called the *Tawang*, which falls into the *Kapmas*. The river *Banting*, a branch of the *Batang Super*, has its source not far from the *Danau Malayu*. The *Batang Super* falls into the sea north of *Sarebas* within the limits of Brunai. By these rivers some trade is carried on from *Lintang* and other places in the interior with Singapore. The distance by land between the *Banting* and *Tawang* rivers, is 3 or 4 days' journey with burdens, but is frequently travelled in one day without. Last year a quantity of fire arms was brought that way from Singapore.

On the *Melani* the Malay population is less than on the *Kapmas*; the whole, probably, not exceeding 1,500. The names of their settlements are *Dedas*, *Godii*, *Belimbing Pinu*, *Nangsilah* and *Beigelah*. These settlements, and others, we have been informed, are on or near the mouths of streams, on the banks of which are numerous Dyaks. The most common route from *Sintang* to Banjarmasin is, by ascending the *Melani* some distance, then one of its branches, the *Pinu*, on the right, from which there is a path by land of only a few hours to the *Kotaringar*, or one of its branches, and from the mouth of the *Kotaringar* by sea to Banjarmasin. There are more direct routes on the left of the *Melani*, but these are seldom travelled by Malays on account of the difficulty of crossing the intervening mountains, and the fear of some of the Dyak tribes in that region.

Both on the *Kapras* and *Melani* rivers, the Dyaks are said to be numerous by all with whom we have conversed on the subject and who had opportunities of knowing. By some they are estimated at from 70 to 80,000; by others much beyond that number. Under the rajas of *Sintang*, whose authority extends but a few days' journey there are at the lowest estimate between 15 and 20,000. The number under other Malay chiefs farther into the interior, is probably about the same. *Pangeran Adi* who resides at *Bunut Nas*, it is said, 10,000 under his jurisdiction. Besides these there are within 7 or 8 days' journey of *Sintang* several other tribes or parts of tribes still independant.

The *Kapras* beyond *Sintang* to *Bunut* is said to be a sluggish stream, without falls or rapids, and navigable for large boats, but beyond that place rapid and dangerous of navigation. The *Kyan* or *Kayan* tribe of Dyaks inhabit the region beyond *Bunut*, and is said to be one of the largest and most powerful on the island. They excel in the manufacture of steel. Some of their swords we saw, which were of superior polish and manifested much skill in the workmanship. With their best tempered swords, we were informed, they can cut in two, with one stroke, rods of iron more than half an inch in diameter. Within the bounds of this tribe, it is said, the explorer *MULLER* was murdered. The particulars of his death, as related to us, are as follow:—In descending one of the branches of the *Kapras* from the East, his guides advised his men to fasten their aprons to the boat, so that if it should capsize in passing over the rapids they would not lose them. Not suspecting any thing they fastened their arms as directed, and while descending in the middle of the stream, the men who had the management of the boat, upset it, and *MULLER* and his men were precipitated into the water, and at the same moment armed natives in two boats near, fell upon them and massacred the whole company, 17 or 18 in number, except two, a native soldier and a Papuan, who escaped and related the manner of their death.

It is ascertained by some who have written respecting this island, that the *Kapras* takes its rise in a very large lake near the centre of the island, and which is said also to be the source of *Banjarmassing* and other large rivers, which fall into the sea on the East and North. Thus also some geographers represent it. We have made many inquiries respecting the source of the *Kapras*, and have seen and conversed with who many had traded up the river and been much among the Dyaks, but we saw no one who had followed the stream to its source. It is probable that it is at least 150 miles in a direct line beyond *Sintang*.

The chief articles of export from *Sintang* are rice, rattan and bees wax. Of other articles, such as damar, colouring wood, and tangkawang oil, the quantities are small. The principal imports are cloths, salt, iron and tobacco.

The rajas of *Sintang* are 7 in number, of nearly equal authority, and share between them the profits accruing from their Dyak subjects. They do not raise from them a revenue by direct and regular taxation, as in some other places on the river and in other parts of the island. It would be far better for the poor Dyaks were this the case, for the system adopted in its stead appears to us far more oppressive (although the Dyaks themselves prefer it) than a heavy annual tax would be, as it is almost impossible to set limits to the extortion practised under it. The system is called the *Sarak*. By this the Dyaks agree with the rajas to purchase all the articles they need from them at a certain rate of exchange, and thus they generally pay several times the original cost of the articles. For example for a small piece of iron, which cost in *Pontianak* five wangs (50 Java pice) they give in exchange 43 gantangs of rice, worth from 9 to 12 pice per gantang in *Sintang*. For a piece of blue or black cotton cloth sold in *Pontianak* for from 1½ to 6 rupees, they give 400 gantangs of rice, and other articles in proportion. Besides the *Sarak*, what is called the *Pupu* is demanded; that is when a

prince or one of his family dies or is married, or erects a dwelling, a small sum of money or its equivalent in rice, wax, rattan, or some other article, is demanded of each *langg* to defray the expences. The *Papu* system, we believe, is quite general.

Soon after our return from our excursion up the river this morning, Pangeran Anuw sent his boat to convey us to his residence. The interim passed off much as at the house of his brother *Adapati* on Saturday. We found him, however, living in apparently better style, surrounded by a large train of domestics. This man has visited the *Danau Malayu* and confirmed the statements we had before heard of it. From the house of Pangeran Anuw we went to that of Pangeran Kusna, which is situated on the opposite side of the Kapwas a short distance beyond the Kumpong. Its situation is quite high and romantic, amid a beautiful grove of fruit trees. The ground rising very abruptly from the river's bank, we ascended by flights of rough stairs to his dwelling, which we found spacious and exhibiting rather more taste than any other dwelling we have entered in the place. We were received again with such noisy honours as almost deafened us. The hall in which we were received was large, and along one side of which there was again a display of Dyak Shields, and nearly in the centre over head a number of muskets and spears. We were asked to take our seats on benches at a table. This was quite a relief to our limbs wearied as they had been by sitting in native style. We were struck with the manner (whether designed or not we can't tell) in which the colour corresponding to his name predominated about his person and dwelling—even the table was covered with a yellow cloth. Noticing that we observed the pranks of an *orang hutan* in the yard before his dwelling, he made us a present of it. This animal, as we have learned from many sources, is quite abundant in the forests on the north side of the river, while none are found on the south. A curious fact.

In the afternoon we made our parting calls upon the *Pangeran* in the *kumpong*, as we hope to leave this evening. We have inquired of these chiefs if they were willing that missionaries should come and settle among them, and they have uniformly expressed their willingness, especially if one were a physician. As a station for a Dyak mission we think *Lautang* presents claims far beyond any other place on the *Kapwas*, and perhaps than any other place on the western part of the island; and we trust that in the good Providence of God it will not be long before it is occupied. But men are needed for such a station of no ordinary share of faith, patience, and decision of character, for they would no doubt meet with much, that will especially at first, put all these to the severest test.

Pangeran *Adapati* gave us, on leaving, several Dyak weapons. His reserve as well as that of Pangeran Anuw seemed to be all laid aside, and they conversed freely on various subjects. The contrast in their manner and conversation between this and our first interview was striking. Towards evening Pangeran *Kuning* sent to us a request that we would remain until to-morrow, as he wished to call upon us in the morning. Most dilatory themselves and devoid of punctuality in their business and engagements, they seem to think all others like themselves, and cannot believe that we will start at the time appointed. Perhaps too, they think that it is a part of their prerogative to ask such favours as this. We sent back word, however, to the Pangeran, that we would be happy to see him, but as all our arrangements were made for starting we could not remain until to-morrow. He came, therefore, in the evening between 7 and 8 o'clock, and conversed quite freely for about three quarters of an hour, when he left. Very soon after, a heavy storm of rain and wind came on and continued for several hours, during which time we were preparing medicines for those who requested us to leave some with them. As soon as the storm had ceased we left *Sintang*.

14th.—Our progress down the river we find to be very different from that of ascending. Having left *Sintang* about midnight, and rowing and floating by turns, at 8 o'clock this morning we reached the place where we stopped the night previous to that of our arrival at *Sintang*. At 10 o'clock passed the mouth of the *Balitang* and at 11 *Spau*.

At one o'clock p. m. we arrived at *Sungie Ayak*, where we made a stay of an hour. Between 5 and 6 we reached *Scaddan*. Shortly after our arrival the Sultan, with his father and four of his sons, came to our boat. He was even more intoxicated than before, his conduct more disgusting and his language more offensive. He forcibly reminded us of many profligate drunkards we have seen in our native land. He ordered our cook in a peremptory manner to prepare tea, and when it was brought helped himself and his children to it and its accompaniments without ceremony. While he was sitting the Moslem's hour for evening prayer was sounded from the mosque on shore. He immediately said he must go, for if he did not God would be angry with him—as if he thought that mere punctuality in presenting himself at the stated periods would make the sacrifice of a reeling drunkard acceptable to God. This, however, is in perfect keeping with Mahomedanism. We then endeavoured to give him some idea of acceptable worship, telling him that Jehovah looked more at the temper and spirit of the worshippers than at the strict observance of time, seasons, &c. But the Sultan, notwithstanding his intemperance and the arbitrary sway he exercises, is said to oppress his subjects far less than most other Malay Chiefs. The comparative mildness of his government is a frequent topic of conversation among the natives. He urged us strongly to remain in *Sandau* until morning, and said if we remained he would give us whatever was asked for in the morning; but not altogether trusting to the promise of one intoxicated, and being desirous of reaching home as soon as possible, we, notwithstanding his importunity, proceeded on our way as soon as he left for the mosque.

15th.—Our men having rowed the greater part of the night, our progress was such that when we awoke we found ourselves near *Sangau*. At 8 o'clock reached there. Soon after our arrival, *Pangeran Perabar* came on board, and inquired very particularly respecting our reception at *Sintang*, and about other matters. We then, in company with the *Pangeran*, called on the *Panambahan*, whom we found with few attendants. At 2 p. m. left of *Tyan*.

16th.—This morning about 5 o'clock arrived at *Tyan* and at 8 called on the *Gegahabber*. He informed us the prospect of an open war between the Dyaks of *Tyan* and *Landak* is greater than when we were on our way up the river. Our interview with the *Gegahabber* being concluded, we visited the kampong of *Tyan*, north of the river. The number of houses among which is that of the *Panambahan* is between 30 and 40. The kampong is situated on both sides of the river. *Tyan*, which is about 30 or 40 yards wide, and by it lies the road across to *Landak* as before stated. The *Panambahan* and nearly the whole adult male population were absent in the interior preparing for expected hostilities. The Dyaks of *Landak* are said to be assembled to the number of 4,000, while the *Panamban* of *Tyan* has less than 2,000 men to oppose them. At 10 a. m. proceeded on our way.

Our boatmen fearing if they fell asleep we might be carried down the *Punggur* towards the sea, remained awake and continued rowing hard until between 3 or and 4 o'clock, when we passed *Sukalanting*. After passing this place we floated until after sunrise. In the afternoon about 2 o'clock we reached *Pontianak* in health and safety.—*Singapore Free Press*.

GEOLOGY OF THE GANGETIC DELTA.

Since our last article on this interesting subject, we have perused a very full and able report "on the structure of the Delta of the Ganges, as exhibited by the boring operations in Fort William, A. D. 1936-40. by Lieut. R. Baird Smith, Bengal Engineers," published in Dr. McClelland's *Journal of Natural History*, for October last. The report being too long for the *Intelligencer*, we shall endeavour to give the substance of it with such quotations as may suit the general reader.

The desire to possess the means of supplying the Town of Calcutta, and its vicinity with good fresh water, induced so far back as the year 1804, a diligent search for an artesian spring; and several attempts have since been made in various parts to obtain it; but failure has attended every trial; not from any natural obstruction met with in the ground itself, but by the breaking of the instruments employed in the work and other mechanical injuries.

The depths penetrated on the several occasion have been different; but every one of them has developed strata "almost identical in position and constitution." The last attempt was commenced in 1846, and after penetrating to the depth of four hundred and eighty-one feet, the attempt was given up last year in consequence of injury done to the boring machine.

Of that portion of the strata which has been described in our preceding article, Lieut. Smith gives the following account:—

"After penetrating to a depth of 10 feet, through the artificial surface soil, a bed of blue clay, close and adhesive in its texture, was entered. As the bore descended, this was found to become gradually darker in colour from the admixture of decayed vegetable matter, till from 30 to 50 feet, large portions of peat were brought up with the clay. Both on this and former occasions branches and fragments of the trunks of trees in a state of decay were found, and Dr. Wallich has identified such of these as were red coloured with the common Soondri of the Sunderbuns, while he considered the yellow coloured varieties to be the roots of some climbing tree resembling the *Briedelia*. That the stratum of peat and decayed wood was formed from the debris of forests, which at a former period covered the entire surface of the Delta as the existing jungles of the Sunderbuns cover so large a portion of it now, admits not, therefore, of a doubt. In truth, the whole of the present site of Calcutta was in 1717 covered with dense masses of forest vegetation, and even so late as 1756. Fort William and its Esplanade formed part of a complete jungle, throughout which were scattered extensive salt lakes and marshes. As the town of Calcutta extended, the jungle was gradually cleared away, and the stagnant lakes filled in or drained; and we have now in these boring operations laid open the beds which the debris of these forests, accumulating for centuries, and consolidated by the intermixture of mud and salt from the waters under which they were so liable to be submerged, have contributed to form. Similar peat beds have been found in excavating the Circular and Eutally Canals, at the respective depths of 25 and 9 feet, thus shewing the surface of the ground to have been slightly undulating. It is much to be regretted that in the solitary instance in which bones were found in the stratum, at a depth of twenty-eight feet, they were destroyed by the workmen before any means could be taken to identify them. A most interesting opportunity of acquiring some information relative to the denizens of these vast forests, and of comparing them with those now inhabiting similar tracts throughout the Delta, was thus lost. In

1813 a quantity of bones was discovered in digging a tank in the vicinity of Dum-Dum, at a depth of 18 feet from the surface, associated, as where the above, with Soondri-wood, and thus being satisfactorily shewn to have belonged to inhabitants of the then existing Sunderbun forests and swamps. Dum-Dum is surrounded by shallow salt water lakes, and it is stated, that many of the ruins of the adjoining villages indicate that the whole neighbourhood at one period consisted of a series of Islands; but we have no authentic record by which to estimate the growth of the Delta in these places, and hence it would have been doubly interesting to have been enabled to assign an epoch to the above remains. It would be useless to attempt doing so with the imperfect information recorded, but their great size led the officer by whom they were found, to conclude, that they did not belong to any of the animals now inhabiting the Sunderbun."

The annexed is a description of the strata as given in our article and by Lieut Smith, placed in juxtaposition.

THE STRATA DESCRIBED BY US.			
No.	Character.	Range.	
		Begins at feet.	Ends at feet.
1	The surface soil, a mixture of clay and Sand,	0	6
2	Fine Sand,	6	10
3	Ochre impregnated with oxide of iron and intermixed with kunkur		
4	or gravel,	10	11
5	Adhesive clay mixed with fine sand,	11	20
6	Dark tenacious loam,	20	28
7	Black loam formed of decayed vegetation,	28	31
	White consistent clay, containing roots and branches of the Soondry, &c.....	31	0
THE STRATA DESCRIBED BY LIEUT. SMITH.			
No.	Character.	Range.	
		Begins at feet.	Ends at feet.
1	Surface, soil,	0	10
2	Adhesive blue clay,	10	25
3	Ditto ditto with peat,	25	35
3	Ditto ditto ditto,	0	0
4	Adhesive clay,	0	40
5	Dark clay with decayed wood largely intermixed,	40	45
6	Ditto ditto ditto,	0	50
7	Calcareous clay with nodular lime stone or kunkur,	50	60

The circumflex marked in Lieut. Smith's catalogue from 10 to 40 feet, and from 45 to 50 indicate variations in the predominant characters of the strata embraced by them; whilst the fact noticed by him, of the slightly undulating surface of the subsoil further proves that whilst trifling variations occur in the thickness of the strata laid open in different parts of the Delta, their general character and leading features, consisting in the existence of deposits of alumina (clay) and silica (sand) of various consistence and colors, gradually increasing in tenacity, and becoming darker as they recede from the surface, to the depth of

from 10 to 40 feet, and thereabouts overlaying a stratum of clay largely intermixed with vegetable remains are the same throughout, and every where confirm the general conclusions that have been formed in regard to the Geological structure of the Gangetic Delta.

The mention of kunkur in the foregoing catalogues, respectively at the depth of 11 and 50 feet is also accounted for by the fact noticed by Lieutenant Smith, that this substance "occurs nearly over the whole of India, and abounds in the alluvial formations of Hindostan, in the vicinity of Calcutta, in the salt Lake, and in some of the jheels or shallow salt marshes, where it is known to be in progress of formation now in thin layers." After a discussion of some length on the various theories that have been propagated regarding the formation of *kunkur*, Lieut. Smith arrived at the conclusion that whenever silica and alumina, reduced to impalpable powder, is suspended in fluid, and that fluid evaporated, the substance will, after it has stood for a short time undisturbed, segregate into small, hard nodules like the *kunkur*; and that this formation may take place whenever such a combination occurs. This substance may, therefore, be found at any depth; but in this opinion Lieut. Smith differs from the generality of those who have considered the subject, most of whom agree in the opinion expressed in our article, that these formations indicate attrition in agitated fluid, and owe their nodular form to that cause.

The annexed results of the analysis of the Roman cement and kunkur, as given by Lieut. Smith, is very curious and goes far to prove his theory regarding the formation of these substances in various parts of an alluvial soil :

	Roman Cement.	Ghazipore, Kunkur.
Carbonate of Lime,.....	73 3	72 0
Silica,.....	9 9	15 2
Alumina,.....	4 4	4 0
Oxide of Iron,.....	11 3	7 0
Loss,.....	11	1 4
Carbonate of Magnesia,.....	00	0 4
	<hr/> 100	<hr/> 100

"From these (observes Lieut. Smith) it will be seen how readily the induration of the Kunkur may be explained from its close affinity to a substance of which the well known property is to harden immediately on contact with water." The oxide of iron, it will be perceived, forms in the *kunkur* a large portion. The appearance of this substance in our third stratum, described as existing with *kunkur*, reciprocally supports the opinion of Lieut. Smith and the fact that *kunkur* exist in the stratum in which we noticed it.

The annexed very interesting account of the strata which were discovered below 60 feet in the course of the boring operations in Fort William, we borrow from Lieut. Smith's article.

"Underlaying the bed of calcareous clay in which the kunkur first occurs, there is a thin bed of green silicious clay, extending from 60 to 65 feet in depth. The clay then loses its colour, and continues to a depth of 75 feet, the lower portion of it furnishing nodules of kunkur. At 75 feet a bed of variegated sandy or arenaceous clay commences, and continues to the depth of 120 feet, occasionally traversed by horizontal beds of kunkur. Beneath this a stratum of argillaceous marl 15 feet in thickness is found, and succeeding it there is a bed only 3 feet in thickness of loose friable sand stones, the particles of sand being held loosely together by a clayey cement. Argillaceous marl, 20 feet in thickness, follows the sandstone, terminating at the depth of 150 feet, when it passes into an arenaceous clay, intermixed with water, worn nodules of hydrated oxide of iron, from which me-

tallid iron was procured by Mr J Prinsep. Weathered mica slate is found attached to the clay of this bed, and throughout the entire range of strata penetrated scales of mica have always been abundantly met with. At 175 feet a coarse friable quartzose conglomerate occurs, composed of pebbles of different sizes, though none are very large, cemented together by clay. At 177 feet, this conglomerate becomes smaller grained, and at 183 feet 3 inches it is found to pass into indurated ferruginous clay, which continues with but little variation to a depth of 205 feet. Here another layer of sandstone, soft in its upper portion, but becoming more indurated, and assuming the lamellar structure as it is passed through, occurs; the thickness being, however, no more than three feet. Ferruginous sand with thin beds of calcareous and arenaceous clay prevail from 205 feet to 380. Kunkar with minute water-worn fragments of quartz, felspar, granite, and other indications of debris from primary rocks, are met with in the lower parts of this sandy deposit, where also are found those fossil bones which have given to these boring operations so much additional interest and importance."

Of one of these fossil remains Mr. James Prinsep speaks as follows :

"The bone is not thoroughly fossilised, for when heated by the blow-pipe it becomes slightly charred, and emits a perceptible odour, but the animal matter left is exceedingly small and the whole loss on heating a portion of it to a white heat was only seven per cent, the greater part being moisture from the hydrate of iron with which it is impregnated. The greater part of the phosphate of lime remains, with a portion of the carbonate; the specific gravity is 2.63, the same as that of a fine specimen of polished ferruginous odontolite from the Himalaya; it requires the heat of an Oxygen blow-pipe to fuse a fragment of it per se on platinum foil."

The interesting account of Lieut. Smith is thus continued :—

"At 380 feet, there occurred a thin layer, only two feet in thickness, of blue calcareous clay, thickly studded with fragments of shells, and at 382 feet; this was succeeded by a layer of dark clay, composed almost entirely of decayed wood. The appearance of the clay was precisely similar to that of the black peat clay found at the depth of from fourteen to thirty feet from the surface, and formerly described. From the lower portion of it, several fragments of coal, of excellent quality, were brought up. The specific gravity of these curious and interesting specimens was 1.20, and they exactly resembled the rolled pieces found now in the beds of mountain streams and which have always hitherto proved the means of leading to the discovery of the coal "in situ." Underneath this stratum, and in the gravelly bed which immediately succeeds it, there were found several other fragments of fossil bones. One was considered to be a small condal vertebra of a kind of lizard, and the rest were fragments of turtles. These were discovered at the depth of 423 feet, and were associated with large rolled pebbles of quartz, both white and amethystine, felspar, limestone, and indurated clay. At 450 feet in depth two other fragments of fossil turtles were found, and associated with them there was a rolled fragment of vesicular basalt. Again at 464½ feet, and still in the same, a fragment of rolled lignite, similar exactly to specimens now obtainable in Cuttack, was discovered, and shortly afterwards the auger brought up a mass of decayed wood, rounded on the edges as if rolled in a stream, but not in the least carbonised, and being like in all respects to the fragments found in the Sunderbun alluvium. The gravel composed entirely of the debris of primary rocks continued to the depth of 481 feet, where the bore was checked by the auger becoming jammed at the bottom of the iron tubing in such a way as to foil every attempt made for its removal, and to force the officers superintending the operations to bring them to a final close in April, 1840."

Whoever has observed, with an attentive eye, the tract of country, extending westward from the Curreel Hills in Tripeira, (Vulgo Tipperah) to the hills of Midnapoor, Bancoorah and Rajmahal, forming as if it were a large bay, with an opening to the north for the exit of the great rivers the Ganges and the Burmahpootra, has, no doubt, felt assured that a period anterior to the most ancient records of history must have existed, at which this now fertile and populous valley of Bengal, containing the metropolis of India and so many other flourishing cities, was in the bottom of the ocean. To come to the conclusion that this tract is of alluvial formation, it is scarcely necessary to examine its internal structure; the superficial evidence it affords is quite sufficient to establish the fact. The concavity of the range of high land and hills, which form the boundaries of this tract on each side, and its situation at the mouths of two such mighty rivers as the Ganges and Burmahpootra, which, sweeping down from immense distances, and annually inundating the great valleys through which they—and their tributaries flow, disembody at this point, forming the Delta, are sufficient causes, according to the laws which regulate geological formations, for the production in time of an extensive alluvial bed. The fitness of this tract, the numerous streams which meander through it on all sides, bestowing fertility and unchanging verdure in every direction, give further indications of the nature of the soil which composes the Delta of the Ganges.

But internal proofs are not wanting to confirm the fact made evident by superficial observation. Stratification, which is the undoubted indication of the agency of fluid, is visible whenever an excavation is made in this tract; and what is more remarkable the prevailing strata show formations of not very ancient date. The writer of this notice has not had the opportunity of observing the various strata which were developed in boring for the artesian spring in Fort William, nor of seeing the report on that undertaking; but he has personally witnessed excavations in various parts, extending down to thirty and forty feet, and has made enquiries of people engaged in the trade of excavating tanks and sinking wells. From all these sources of information, it appears that the following is the order in which the several strata succeed one another throughout these parts.

First.—The uppermost stratum, which bears the present race of a vegetable kingdom, consists of a mixture of clay and fine sand, well adapted for the nutriment of plants of all kinds, and for various useful purposes of domestic economy, such as making bricks, earthen ware, &c. This stratum extends to the depth of about six feet.

Second.—A bed of about four feet in thickness, composed of fine sand, occasionally mixed with sands of a coarser grain succeeds next. It is in this bed that the rain water, after it has penetrated the surface, generally lodges, and through the pores of which the fluid, obedient to the well known laws of hydrostatics, moves from place to place, filling all excavations made to the depth of six or seven feet, even in the fair months of December and January, when the surface of the country is perfectly dry and free from moisture.

Third.—This stratum is composed of a reddish ochre, evidently impregnated with the red oxide of iron, and forms a bed sufficiently coherent to prevent the further sinking of water, which, as observed above, gathers in the sandy stratum just over it, and causes all the phenomena of dampness and humidity so prevalent throughout these parts. In this stratum are to be seen numerous pieces of gravel, all of which exhibit palpable indications of having been at some antecedent period exposed to the action of an agitated fluid, and having acquired their present forms by attrition. The depth of this stratum is seldom more than four feet.

Fourth.—Is another stratum six feet deep, of the same kind of soil as the first; but much finer, better adapted for the artificer's use, and free from those foreign substances which occasionally occur in the first. This is the last stratum to which the native brick-makers of Bengal descend: for below it no soil fit for their purpose can be found within a depth to which they can manage to penetrate.

Fifth.—Is a dark, rich and exceedingly tenacious loam, difficult to dig out, unfit for the manufacture of any article, on account of the brittle quality which it imparts—and uncongenial to the growth of plants, the roots of which cannot penetrate the hard and consisted masses formed by this clay. On drying, it assumes a lighter color, and increases in hardness so as to resist to a great degree the dissolving power of water. It is therefore used by the people in repairing the sides of tanks, in parts which are to remain under water, and in forming the beds of drains which are thus made to last almost as long as pukka drains. This loam extends to the depth of some eight feet.

Sixth.—Is a narrow stratum of three feet; but the most interesting of all, to which the tank and well diggers usually descend. It is called by them '*Pandabporah Mattee*, or the earth formed by the burning of Pandab. When dug out fresh, its color is a dingy black, interspersed with brownish hues, and small shining particles, which also occur in the stratum just above it. It is impossible on the very first inspection to mistake one of the substances of which this earth is composed. On separating a lump of it into two or more pieces, you at once discover fibres of leaves, branches, and other traces of vegetation, closely laid one upon another, and forming most curious and partially decomposed remains of vegetable matter. From the thickness of this stratum—three feet, it is evident that this deposit of vegetable matter could not have been brought hither like the substances which form the other strata, by the action of water; nor that it could have been formed here in the space of five or six years, which is necessary for the growth of most trees: the deposit of compressed vegetable remains, three feet in thickness, must have required centuries for its formation. The uninformed and superstitious natives are obliged to admit the fact of a great forest having existed below the surface which they now inhabit; but from the blackness of the loam, they are led to add that this forest was consumed in a great burnt-offering which Pandab, a demi-god, made to propitiate the Supreme Deity. Hence the name *Pandab-porah Mattee*.

Seventh.—Is the last stratum reached by the Tank diggers of Bengal, which has come to the knowledge of the writer of this article. It is formed of a whitish consistent earth, which at present appears to be too hard for the free growth of plants; but it contains throughout roots, trunks, and even branches of trees, many of which are found in such a state of preservation as to be identified with the *soondry* the *gran* and the other indigenous trees of the Gangetic Delta. Making requisite allowances for the change which long immersion in water would produce upon this stratum, and the compression it has since received from the super incumbent strata, the appearance of redundant vegetation on a hard and tenacious soil will not be considered anomalous. The writer of this article has now in his possession several specimens of roots, &c., dug out from a depth of thirty four feet; they are yet in a tolerable state of preservation; although the action of the atmospheric air since their exhumation has greatly altered them from the state in which they were when dug out.

From the appearances that have been described, we arrive at the curious and interesting conclusion, that centuries ago there was a period at which the place where Calcutta, Dacca, Moorshedabad and the other great cities of Bengal now stand, was a part of the ocean; that at a subsequent period, the waters receded and a

forest grew up, which occupied the soil for several centuries; that the waters again covered the face of this tract, and swept away or decomposed the upper part of the forest, leaving the roots imbedded in the previously formed alluvial stratum of clay, besides an incumbent stratum of partially decomposed vegetable remains; that after the second influx of water the first five strata above described were formed, no doubt in a great number of years, the waters never having receded during that period; for if they had, vegetable remains would again have appeared; and that the waters receded a third time and left the surface in the state we now find it.

There are some other curious geological facts connected with the formation of the Gangesic Delta, which may become the subject of another notice. In the mean while the writer of these remarks will feel thankful if the errors into which he may have fallen will be rectified by the experience of others who have had better opportunities for observation, and a greater familiarity with the subject to turn those opportunities to advantage. — *Catholic Intelligencer*, Feb. 12.

THE RIVER THUGS.

To the Editor of the Bengal Hurkaru.

SIR,—I have the pleasure to send some remarks regarding River Thugs, and shall be obliged by your giving them publication in your journal. I have not time to forward copies to other papers, but I hope that the *Englishman*, *Friend of India*, *Courier*, and other papers will copy the account from the *Hurkaru*.

The account might also be of use to the natives, if the editors of native papers would translate and publish it.

It would give me great pleasure to think, that any hints or suggestions I may have thrown out, had the effect of putting the natives more on their guard against River Thugs, and I should be particularly pleased if they had this effect in the case of sepoys, of whose fidelity to the Government, attachment to their officers and other many soldier-like qualities, I, in common with the military world, generally, entertain the highest opinion. So impressed am I with the belief, that sepoys, while absent from their corps, are still murdered by the River Thugs, that I think I cannot draw attention too strongly to the subject.

I am, Sir, your obedt. Servant,

April, 1841.

A THUGGEE OFFICER.

The "mild and gentle Hindoo," is an expression, which has been so often repeated, and by writers differing so much from each other on many subjects, that it seems now to be accepted as a correct and characteristic description of the natives of India. But, if we consider their dispositions more attentively, and analyse their conduct, referring it to the acting motives, we must, I think, pause before we assent to the justice of the above epithets.

No race of men are more revengeful and more implacable in their revenge,—more cunning and mischievous,—more addicted to jealousy and more cruel to the unfortunate victim, who give occasion for its exercise,—more lewd and unnatural in their passions and propensities, and more unscrupulous in the adoption of measures, which may lead to the attainment of their wishes, however mean, unjust and atrocious such measures may be.

There are, of course, very many, in so large a community as that of India, who form marked exceptions to the above description, and whose characters might bear a comparison with those of the respectable portion of European communities. And it is only in persons possessed of power, that these stronger and more salient points of character can be fully developed; and I would point to the Native States, as the hot-beds in which the ferocious qualities of the Hindoo character are so often exhibited, with an energy not to be mistaken. It must be allowed, that in the physiognomy and the manners of the natives of India, especially of the Indian youth, there is much what is mild and gentle, and that pre-possesses us in favour of their amiability; but these appearances are certainly deceiving, and any estimate of character, based upon them, must be erroneous.

It is impossible to listen to the conversation of the Hindoo lads, in their altercations with each other, and to hear the gross and indelicate abuse they unsparingly lavish upon

the female members of their respective families, without being convinced, that they far surpass the ingenious youth of other nations in the impurity and indecency of their ideas.

But if other proof were wanting of the debasement of the moral character of the Hindoos, and of their inferiority to other nations in the feelings of humanity, I should say, that the existence of the crime of Thuggee, and the little check which this crime has received from the force of moral opinion amongst the native community, ought to satisfy the most sceptical.

There is no doubt this crime has been perpetrated in India for hundreds of years, not by men of low condition, driven by desperate circumstances to murder, as a means of gaining a livelihood; but by persons, very many of whom belong by title and profession to the respectable classes, and some to the highest; and the system has received encouragement, directly and indirectly, from men of reputed respectability in every walk of life.

The crime of Thuggee cannot, therefore, be said to be confined to a particular class of persons, distinct from all other classes in the country. It has received the assent of men of every class, who, from motives of most sordid avarice, and without a single scruple of conscience, have not hesitated to pursue and persevere in an organized system of murder.

With this fact before us, can we justly bestow the epithets of mild and gentle on the Hindoos, as a nation? or would it not be more reasonable to ascribe to them as much savageness and ferocity of character as to the most uncivilized tribes?

There is not a parallel in the history of the whole world, to the fact of persons of every class of a nation engaging in such a monstrous crime, as that of Thuggee, in the manner that the natives of India, of all classes, have engaged in it.

Other nations, as well as India, have produced most atrocious criminals; but the difference is this, that in other countries criminals form a distinct class, with whom the rest of the community have no sympathy, and whose punishment is generally a source of real gratification. England itself has produced villains as great as the Thugs, as for instance, Burke, Hare, Williams and others. But the crimes of these miscreants were never, at the time of commission, spoken of but in terms of the utmost detestation, and are never referred to even now, but with feelings and expressions of horror.

In the case of Burke, the mob were on many occasions restrained, with the greatest difficulty, from tearing him to pieces; and the shouts and yells of execration, which were uttered at his execution, attested, very significantly, the sentiments of the assembled multitude regarding this monster.

No such ebullition of feeling is excited against the Thugs, nor are these ruthless and blood-thirsty villains regarded with any marked detestation.

Since the enquiries regarding the Thugs were first set on foot, it has been ascertained, that there is not a part of the Company's territories, which has escaped their visitations, and that they have carried on their operations, with almost unobscured license, in most of the native states.

Land Thuggee has been known to exist for many years past, but it is only within the last four or five years, that the existence of river Thuggee has been ascertained.

Mention is made, in Major Slesman's first work on Thuggee, of the river Thugs, being about two hundred in number; but three or four thousands, and even more, would, I

respect, be nearer the mark. The village of Burkhapore alone, in the district of Pubna, contained more than two hundred, and the districts of Fureedpore and Pubna cannot have contained less than a thousand.

I speak here only of the river Thugs, who carry on their operations on the Ganges, and the rivers to the eastward—I am not aware of any gangs having yet been discovered on the Jumna, or any of the rivers in Oude, although I do not know why gangs should not prowl about on those rivers to the eastward. I have not been able to ascertain at all satisfactorily, when river Thuggee was first practised in eastern India.

The result of my enquiries would go to establish, that its introduction is comparatively recent, and that it has not been practised for more than sixty or seventy years. I am inclined, however, to think, that the date of its introduction must have been much more remote, and it seems to me problematical whether Thuggee was not originally practised, in the eastern provinces, and whether it did not spread from thence to the western, instead, as it is generally said, of having spread from the western to the eastern. Regarding the system of Thuggee in its religious aspect, and with reference to the prayers, offerings and ceremonies which it imposes, there seem to me stronger grounds for supposing that it must have originated with Hindoos, than with Mussulmen. Why should we suppose that Mussulmen, if they were the first Thugs, should have selected the goddess Kalee as the tutelary goddess of Thuggee? or why should they have made the rites and ceremonies practised by the Thugs, so exclusively Hindoo? No other Mussulmen, except Thugs, have any respect for the goddess Kalee, nor do they believe the absurdities ascribed to her power. At the same time, I must mention, that all the Thugs I have conversed with, suppose Thuggee to have been introduced, and first practised, by Mussulmen. Some approvers tell me, that a very old Thug jemadar, by name Baucheeram Jowdar, formerly an inhabitant of the village of Burkhapore, in the Pubna district, who died three or four years ago in the Moorshedabad jail, at upwards of eighty years of age, was the first Thug who introduced the system into the eastern provinces, and he was initiated, when under twenty years of age, by some western Thugs, during an expedition he made with them in the upper provinces.

Others again say, that Ramshurun Pal, another deceased Thug jemadar, and also an inhabitant, formerly of the Pubna district, was the first introducer of Thuggee. A Thug jemadar, named Brijkoombhar Bhose, whose age was said to be ninety, died last year, in the Mymensing jail, and these three jemadars are the oldest Thugs, whom I have heard any approver mention.

But whether one of the three first introduced the system of river Thuggee, or whether it was practised for years before they appeared upon the stage, seems to me a question of great doubt and difficulty.

The river Thugs usually carry on their operations from the end of the rains to April and May, but are seldom out later than May. Some parties, however, are out during the whole of the rains. Thugs go about in parties, varying from eight or nine to thirty. The usual complement of a boat of Thugs is about ten or eleven, and if more than that number start together, they have two or three boats. I have not heard of more than three boats of eastern Thugs carrying on operations in concert.

In fact, it is not often in the eastern districts, that more than one boat starts on an expedition: if during the expedition the Thugs fall in with one or two other boats belonging to members of their fraternity, they sometimes travel in company, and carry on operations in concert.

The Burdwan and Bantoorah Thugs, I understand, generally start in two or three boats, and these Thugs carry on Thuggee by land as well as on the rivers. In the districts east of the Ganges, Land Thuggee is very rare indeed, and I have not heard of more than three or four instances of it.

At the same time, if the eastern Thugs, while on a river expedition, obtained a favourable opportunity of committing a Thuggee by land, I do not think they would hesitate in committing it; but they scarcely ever start by land, determining to confine their operations to the land only.

The eastern Thugs have carried on their operations in all the districts east of the Ganges, and also in Assam. I have also heard of land and river Thugs being abroad in the Chittagong district, but my information on this subject is not complete or satisfactory. A class of men, residing in the Chittagong district, leave their own province, and travel about the Company's territories, in bodies, varying from ten to upwards of twenty in number, for the ostensible purpose of procuring kingfisher's feathers, which sell at a high price in Chittagong.

The approvers tell me, that many of these men are both Thugs and Dacoits, and that in the course of their travels they commit land and river Thuggee, as well as land and river Dacoity, as opportunity may offer.

A similar class of men from the province of Arracan, travel about in the same manner.

I have heard from magistrates of districts, that they have had parties of these men before them for examination, as suspicious characters, wandering about a long distance from their homes, without any employment, except the improbable one they mentioned, of trading in kingfisher's feathers, but have been obliged to release them for want of proof.

I am told that kingfisher's feather bear a very high value, indeed, in Arracan and Ava, and are worth their weight in gold in China; still, I am inclined to think, that these traders, while in the Company's provinces, do not confine themselves to the pursuit of their trade.

They are not, however, Thugs in the sense in which the Thugs themselves understand the term, because they do not confine themselves to murder by strangulation with a cotton cloth.

They often use a rope, after the manner of the British Thugs, described by Major Sleeman, and they cut the throat, after strangulation, a practice not followed by the river Thugs, who scrupulously avoid shedding blood. Major Sleeman mentions, in his first work on Thuggee, that the river Thugs break the spinal bones of their victims after strangulation.

I have asked my approvers about this, but they say there is no such custom amongst the Thugs of the eastern districts, but that sometimes, after strangulation, the Thugs pass their fingers under the eyes of their victims, and lift them from their sockets, in order that their bodies may fill with water and sink more rapidly.

The usual mode of murder with river Thugs, is with a strong cotton cloth, called a gamcha, about four feet in length and a foot and a half in breadth, twisted and wetted. There is a knot, sometimes at the end, held in the left hand, and the cloth is tightly twisted from behind, twice round the neck, and then pulled as tight as possible by the strands.

With the quickness and dexterity with which it is applied, it is a most fatal instrument, and a Bengalee Thug, thin and feeble though he be, in appearance, considers himself, single handed, equal to strangling a strong and able-bodied man.

I think it not improbable, that the river Thugs may sometimes use the goon-stick—the stick attached to the tracking rope; that is, when two men are appointed to murder a traveller, one of them may, while the act of strangulation is going on, give him a stunning blow or two, with the goon-stick. The Thugs, however, deny that they use it in their murders, or any thing except the cotton cloth. It seldom happens, that the river Thugs of the eastern districts, go higher up the Ganges than Rajmahal and Bhagpur. An expedition, if tolerably successful, will probably not last more than five or six weeks, and the generality of Thugs will make at least four or five expeditions in the year.

The same party will seldom go out for two expeditions in succession.

When the expedition is over, the Thugs separate, each return to his own home, and making his own arrangements for his next trip.

If during an expedition any accident or mishap should occur, which makes the Thugs suppose they will become objects of suspicion, the party would disperse, forthwith, in different directions, sinking their boat, if the sacrifice were necessary, to aid them in their escape.

The ease and facility with which the gangs can disperse, render a successful pursuit of them almost impossible, and I have been assured by Thug approvers, that on some occasions, when after a murder, a pursuit of them has been attempted, in consequence of the accidental discovery of it soon after its occurrence, other parties have been taken up and detained on suspicion, and even punished, while the Thugs were laughing at the success of their own villany.

There is nothing peculiar in the construction of Thug boats, by which a common observer can distinguish them from others, although a Thug would be able to recognise a Thug crew and boat amongst thirty others, in the same way that a Freemason can always recognise a brother craftsman in a crowd.

The boats are generally clean looking, and well fitted up, with roomy accommodations, calculated to attract the eye and attention of a traveller. The crews are also neatly attired, paying great attention to dress and appearance; and the jemadars, who usually go on shore and act as invitees, assume the appearance, and pass themselves off as, most respectable persons. There is no quality more valued in a Thug jemadar than an agreeable and insinuating address; for it is by that he entices his victims to the unhappy doom, which awaits them at the hands of his ruthless companions. River Thugs are great adepts at assuming all sorts of disguises. To give an instance of this: a crew of Thugs, apprehended in the Dacca district, was composed entirely of men of the Churny or Gundal caste, two or three of whom, the best looking of the party, dressed themselves up and passed off as Brahmins, wearing the juncos or Brahminal thread, and feigning to be passengers, who were proceeding on a pilgrimage. Two Musulman travellers were inveigled at Dacca, on board this boat, and murdered between Dacca and Furradsore, while engaged in conversation with their pseudo Brahmmin companions.

The relatives of the murdered men, who had gone on board the Thug boat with their relatives, recognised the would-be Brahmmins after their apprehension, which took place in consequence of a quarrel having occurred amongst the Thugs, and one of the party confessing and informing against the others.

It is surprising and painful to think, what vast numbers of persons have fallen victims to river Thugs.

They are looked upon by the Thugs as their most easy victims.

A common artifice with Thugs, for inveigling sepoy, is to allow them a cheap passage from one place to another, after a great deal of haggling and pretended unwillingness. Or if four or five sepoy are travelling together, they will offer to convey them to their destination free of expense, and even to give them a remuneration, on condition that they, the sepoy, will guard the boat during the journey, the Thugs pretending that they have a valuable cargo on board, and that they are afraid of Dacoits.

During the Burmese war, and especially near the termination of it, when so many sepoy were returning to the Company's Provinces on sick leave, the river Thugs were most actively on the look-out after them, and murdered vast numbers.

Very few, indeed, of the sepoy, who left the Burmese country on sick leave, could ever have reached their homes in safety; because, independently of the chances of sickness, and the spars of the river Thug, those whose homes were in the Upper Provinces, (and most sepoy homes are there,) would have had to run the gauntlet amongst the land Thugs also, for a part of the journey.

And to show how successful even a small party of Thugs can be in murdering sepoy, I will mention a murder deposed to by an approver. A party of Thugs, consisting of not more than six or seven, while on an expedition, had *lugged* their boat at a ghaut near a village, intending to look out for passengers.

Five sepoy came to the ghaut, and insisted on the Thugs carrying them a certain part of their journey for nothing.

They refused at first, thinking the sepoy party too large for them to murder.

The sepoy, however, would not listen to any excuses or remonstrances, but came on board with all their baggage and compelled the Thugs to move off.

The Thugs, greatly exasperated, determined, during the journey, to attempt the murder, and accomplished it a very few days after they started, just after the sepoy had finished their morning meal.

I have heard other accounts of river Thugs murdering sepoy, nearly equal in numbers to themselves, and I observe in Major Sleeman's second work on Thuggery, Capt. Lewis, an officer formerly in this department, adverts to the same circumstance.

River thugs commit their murders, sometimes on board their boats, and sometimes, particularly when the party to be murdered is large, on unfrequented shores or sandbanks, during or after the meals of their victims, or while they are sitting and smoking. They make all sorts of excuses for stopping the boat, and inducing travellers to go on shore, should they come to a shore, which they consider a favorable spot for carrying their design of murder into effect.

They have also a practice of prevailing upon travellers to join with them in singing the song of "Murtessoot," and of putting them to sleep while they are so engaged.

Should they not succeed in obtaining passengers at the ghauts and different places, at which they may stop, they will hail boats they may meet on the river, and, pretending to be going to the same destination, will offer to accompany them, with a view to mutual safety, and during the journey they will worm themselves into the confidence of the

unsuspecting party ; and after murdering them, and throwing their bodies overboard, will transfer the cargo of their boat to their own, and sink the boat of the murdered man, by making holes in the bottom and sides with hatchets.

Many most valuable cargoes have been plundered in this way : one reason of which is, that boats containing cargoes of value, are sent from place to place under most insufficient escorts, consisting probably of one agent, and a very few boatmen.

The river Thugs destroy all hoondies or drafts belonging to murdered men, and generally throw overboard all clothes and articles of every description belonging to them, which might not be disposed of easily, or the possession of which might excite suspicion.

Aims, accoutrements, and military clothing of sepoy, are invariably thrown overboard.

But to return to casualties amongst sepoy, from river Thugs.

An account was published, some months ago, in the *Englishman*, of about a hundred and thirty sepoy, attached to corps in the Presidency division, who, between January 1838 and August 1840, had left their Regiment on leave, and not returned, their absence not being satisfactorily accounted for.

It has been suggested to me, that many of these sepoy may have died or deserted.

This is probably true : some may have died and some deserted ; but, I think the belief not unreasonable, that the greater portion must have been murdered on the road. Sepoy do not die in large numbers from sickness, when travelling to their homes. On the contrary, those who leave their corps sick, are generally greatly benefited by the change of air and scene during the journey, and the very fact of their being on their way to their homes, tends to restore them to health.

With respect to desertions, I do not see why sepoy should desert, considering that they may always obtain their discharge on applying for it—and I think all but very young sepoy, value the service too much to leave it voluntarily.

There are, doubtless, exceptions, but surely not many.

Since, however, this list was published, I have received a return from the Pension Paymaster at Dinapore, of a hundred and eighty-two pensioners, who, since 1836, have been struck off the rolls for non-attendance at the office at two successive payments, and their non-attendance has not been accounted for.

Some of this number may have died, but none could possibly have deserted ; inasmuch as it is not to be supposed, that one amongst the number would, if he were alive, neglect to attend to receive a pension, the receipt of which entailed no duties whatever, and only the trouble of going to receive it.

Pensioners have, I believe, to attend only once in six months and then they receive six months' pension at once.

I suspect the Thugs are aware of this, and keep a most keen watch after them on their return to their homes.

It is really most lamentable to think that such villains as the Thugs, should be so successful in inveigling and destroying sepoy.

The General Orders, which have been published, warning sepoy to be on their guard in their journeys to and from their homes, have not had the effect of preventing their being enticed.

An order was published as far back as 1810, explaining the habits and practices of the up-country Thugs, and cautioning sepoya against them; and this order, in, I believe, read yearly to every corps, before the sepoya start on leave, and yet since 1810, how many have fallen victims to their machinations! This is to be accounted for by taking into consideration the extreme cunning of the Thugs, their artful contrivances, their great skill in assuming all sorts of disguises, and their pleasing and insinuating address.

Sepoya, in whose character there is often much openness and simplicity, are quite thrown off their guard, when brought into contact with these consummate villains, accomplished in the art of concealing their most nefarious designs under the veil of an agreeable, I may almost say a polished, exterior.

I have seen enough of Thugs to be convinced, that they quite are of Lord Chesterfield's school, as regards manners and agreeable behaviour. It is a rule with them to treat their victims to the very moment of strangulation, with most marked courtesy; and with a more than French politeness. The Thugs themselves attribute much of their success to a strict observance of this rule.

Bengalee Thugs have greater facility than even up country Thugs in inveigling sepoya:—because sepoya, who pride themselves on their strength, and muscular powers, never for a moment suppose, that such weak and insignificant beings, in comparison with themselves, as Bengalee Thugs, would attempt to murder them.

It might save the lives of many sepoya, if a brief abstract of the habits and practices of the Bengalee Thugs were translated into Hindoe, and read constantly to each native corps.

This abstract should be read very often, and the subject should be impressed upon their minds, because I know from experience how difficult it is to convince sepoya of the dangers they have to encounter on the road, while absent from their Regiments. A sepoy is too much in the habit of considering himself a Roostum, and has such an overweening confidence in his own courage and good management, as to consider himself, single handed, equal at least to three or four Thugs, and will talk probably of giving them a taste of his tulwar, if they should presume to think of attacking him.

When he hears of his fellow soldiers having been murdered, he attributes their fate to their want of vigilance, and thinks it impossible the same fate can occur to such a wide-awake fellow as himself. All this is most miserable and often most fatal infatuation. The Thugs know well how to flatter and take advantage to their ruin, of the weak points of the sepoy character. They approach them under every variety of assumed character, and if a party of sepoya should perchance, escape being inveigled by some of the gang, other members will go ahead, and try again and again to inveigle them at advanced points of the journey.

If Thugs are once on the track of sepoya, with a design of inveigling them, I should think nothing but the luckiest accident, or the most marvellous good fortune could rescue the sepoya from their snares.

In the case of prisoners, each of whom carries with him six month's pension, the chances of escape must be infinitely fewer, because the Thugs, knowing the value of the booty, would be much more vigilant and persevering in their pursuit of them.

Mén of all castes, Hindoo and Mussulman, have been committed to take their trade as River Thugs by profession.

Many Brahmins, of high caste have been apprehended as jemadars or leaders of gangs and Brahmins as well as all other castes, officiate as burglars or stranglers. Amongst the river Thugs, the Kayast caste predominates greatly. I understand that the Burdwan and Bancoorah Thugs are chiefly Mussulmen, but the gangs of Thugs, that have been discovered and apprehended in the districts east of the Ganges, are composed almost entirely of Hindoos, and of these Hindoos, a large proportion are Kayasts.

There are also a great many of the Chandal caste, but very few Mussulmen indeed, scarcely one in ten or twelve Thugs.

This is a remarkable feature in the gangs of the eastern districts, which distinguishes them from the gangs in all other parts of India.

In all other gangs, I rather suspect the Mussulmen equal, if they do not exceed, the Hindoos in number. But although none have yet been apprehended and convicted, I am strongly inclined to think, that there must be Mussulmen gangs in some of the Eastern district, probably formed and organized by runaway Thugs from the Upper Provinces.

By no means a small portion of the population of these districts is mussulmen, and the dissolute members of the Mahomedan creed do not require much persuasion to turn Thugs.

The ordinary avocations of river Thugs, when not out on Thuggee, are agriculture, and employment as servants to zumeendars, indigo planters and others.

Many of them can read and write, and are well versed in zumeendar accounts; they have also a tolerably correct knowledge of some of the regulations, studying the law the better to evade it, and are well acquainted with the working of the police system, and of the native courts of judicature. Some of the subordinate police, and subordinate native officers of the Mofussil courts, have been apprehended as Thugs, and I think the system of Thuggee could never have flourished for so many years, without at least the secret connivance of both the police and the zumeendars. It sometimes happens, that a river Thug is a Dacoit also; and instances have come to my knowledge of men, whose names had been entered for years in the general register of Thugs, having been apprehended, convicted, and sentenced to imprisonment as Dacoits.

River Thugs while out on Thuggee, do not engage in Dacoitry, and the instances are most rare; but individual Thugs are often both Thugs and Dacoits.

I do not think the river Thugs have a very large vocabulary of Thug terms, nor are they very observant of omens, rites and ceremonies. I questioned a very old Thug jemadar, who is an approver on these subjects, and he told me they have but few slang terms; and, that as a general practice and custom, the gangs in the eastern districts do not pay much attention to ceremonies, rites and omens.

I mentioned that some approvers, who had gone to Jubbulpore, had stated, that the river Thugs in the districts east of the Ganges, had a slang (Pargana) of their own, and observed scrupulously certain prescribed forms and ceremonies.

He laughed and said they must have invented most of them, for he knew and had heard of very few; nor have I been able to learn, that any particular ceremony is gone through in making abhurutote, or smuggling, and I believe the Thugs of the eastern districts

become strangers, without being appointed under any particular forms; and I can account for their dispensing with forms, by bearing in mind the small numbers that go abroad, so that when the parties to be murdered, are only equal the Thugs in number, each individual Thug must of necessity assist in the strangling. It was different with the up-country gangs, most of which consisted of upwards of fifty members, and from such numbers the Thugs could well afford to select the most tried and approved men as stranglers.

East of the Ganges river Thugs have been apprehended in the largest numbers, in the Pubna and Burdewah districts, which may be called the hot-beds of their residence, and many residents of those districts are still abroad.

Many have also been apprehended in the zillahs of Mymensing, scarcely any in the Dacca, and none in the Sylhet districts; and there are very few in either of the two last districts, stated to be abroad.

A few Thugs have also been caught in the Dinagore and Rungpore districts, but none that I am aware of in any of the others, or in the Chittagong zillah.

But the apprehension of Thugs is by no means the most difficult part of the operations, connected with the suppression of Thuggee. It is after their apprehension that the chief difficulty of establishing clear cases against the prisoners commences.

There is not any class of trials, in which such difficulty is experienced as in the Thuggee trials, of adducing legal and judicial proofs, that the crimes charged have been committed.

It is seldom that connected and complete circumstantial evidence of murders having occurred can be obtained.

The names and residences of the murdered men are not often known, as the approvers in detailing a murder by Thuggee, can scarcely ever remember more than that certain persons of such and such professions or traders, were murdered by the Thugs on a particular occasion, and near a particular spot, and that a certain sum of money, or sundry articles of property, were obtained by the murderer.

Descriptions are given of the murdered men, and it is mentioned when they were taken on board, inveigled them, and by whom they were strangled. But as the bodies are invariably dropped and thrown overboard, it very rarely, indeed, happens, that any inquest is held on them; that when a murder is reported to, and enquiry is made through the local authorities of the district, as to its occurrence, the reply generally received is, that there is no evidence whatever amongst the official records, and the authorities have never heard of the circumstances detailed.

And, perhaps, if the bodies which were thrown overboard, should have been washed on shore near a village or hamlet, and an inquest have been held upon them, they are probably in such a state of decomposition, that not a feature is to be recognized, and the darogah and other police authorities, can elicit no information whatsoever, likely to be of future use, so that it is impossible to find out the heirs of the deceased, and examine them regarding the journey, and other circumstances connected with their relatives.

And the evidence of the approvers, unless corroborated by other good circumstantial evidence, — which I have said is not easily to be got, — is received, and justly, with great caution and distrust.

In many instances, therefore, although there may be a strong presumption of prisoners being Thugs by profession, the fact cannot be proved, and they obtain an acquittal.

Many have obtained an acquittal in this way, and it is to be feared, that they continue to engage in Thuggee, and that their first apprehension, so far from deterring them, encourages them to persevere, from the difficulties, which they have had an opportunity of knowing, are experienced in bringing proof against them.

I have heard many objections made to the approver system, and I admit that there is much truth in many of them, and that the greatest care is requisite, that the practical working of the system be not productive of injustice and oppression.

It cannot be matter for surprise, that Thug approvers, whose previous life has been an almost uninterrupted series of crimes, should sometimes, from motives of malice and enmity, denounce, as Thugs, men who are not Thugs.

I do not think it possible to guard altogether against this evil; but, admitting that it must exist more or less, in spite of every care and precaution, I do not see how Thugs could be apprehended or Thuggee be suppressed at all, without approvers, considering that Thugs alone can be eye-witnesses of their own crimes, it being a most rare occurrence for any of a party, whom they have inveigled, and intend to murder, to escape from their hands.

But to return to the difficulties attending Thug trials.

When even a case has been adduced against prisoners, in which there is strong presumptive evidence of their guilt, they have no difficulty in procuring witnesses to state, that they are good characters.

The reason is, that in their villages the Thugs are most particular in keeping up an appearance of respectability, and, with this view, they commit their murders in other zillahs, generally at some distance from their homes; where, if seen, they will not be known or recognized.

It must be confessed, that the measures, which Government have taken, for the suppression of Thuggee, have been very successful, and a great many Thugs of note have been convicted and punished.

But it seems to me to be most doubtful whether the crime will ever be altogether suppressed in the Lower provinces.

Thuggee is so easy of commission and concealment, and the fines gained, compared with the up-country, are so small, that they may travel from place to place without exciting the least suspicion. Besides, on the rivers, the scene of their operations, there is no police at all—the few guard-boats kept up do not deserve the name—and the natives, when even their near relatives are missing, are not unwilling to report their disappearance, and frequently do not do so, preferring to suppose that they have died from sickness or from the accident of travelling, rather than that they have been murdered.

And in addition to these reasons why I think Thuggee will not be entirely suppressed, I may add, that it is most lucrative vocation.

Supposing an expedition of six weeks or two months to be successful, and one boat to have started, each river Thug would probably return with 100 or 200 rupees, and sometimes more—and this sum, absolute wealth to many of the party, who probably cannot earn four rupees a month in their villages. The native police are not of much use, and cannot be depended upon to give aid in the suppression of Thuggee.

And from all that I see, hear and read of the police, it seems not to be of much use for any purpose whatever. All sorts and condition of men allow the native police to be as bad as can be; and the only hope of amendment, is in the old saying "that when things are at the worst, they sometimes mend."

If ever police reforms are seriously determined upon, and it is intended that the police should be really efficient, the most advisable plan would be to reconstruct it, and not to think of patching and mending what seems beyond all hope of remedy; any relaxation in the efforts now being made for the suppression of Thuggee, would certainly, I think, cause the gangs in the whole of the Lower Provinces, many of which never had been dispersed, to reform and reorganise themselves.

It cannot be expected, that such a system as that of Thuggee, which has taken root for many years, perhaps for centuries, in Eastern India, should be thoroughly eradicated by the operations of a few years, however vigorous and successful those operations may have been.

The blows aimed against it must be repeated again and again; and the principle of proceeding should be "*non est sed esse celandum*." For the evil may truly be said to be a curse to the country, a greater curse by far than any by which other nations of the world have been afflicted.

The subject comes not home to the business and bosoms of Englishmen in India, with the force and energy with which it would come home, nor does it excite the sympathy it would excite, if Europeans ever incurred the danger of becoming victims to this most horrible system of murder.

But the first duty of a Government is to protect efficiently the lives and properties of all its subjects, without reference to their race or complexion. To Lord William Bentinck the honour is due, of having struck the first really efficient blow at Thuggee, and to his successors left the task, by no means more inglorious, of carrying out his measure into complete operation, and in justice to the natives, who are the only sufferers, not to desist so long as there is reason to suppose, that there is even one gang of Thugs not apprehended, and further, to keep constant watch and guard, that the system, once checked, is not permitted to revive. *Hugh April 12.*

It will be something to have to say, a few years hence, that the English in India, if they have done nothing else for the people of the country, have, at all events, suppressed Thuggee. The existence of regularly organized bands, not only trafficking in murder, but carrying on their hellish trade in accordance with certain pseudo-religious doctrines, by which the conscience is smothered within them, has naturally been regarded by Christian men with feelings of the utmost horror, not always unmingled with incredulity. It was some time before the people of England could bring themselves to believe that spread over almost the entire continent of India were bands of professed murderers, acting under one general code of laws, and linked together by a sort of free-masonry—bonds of whole-sale murderers, not actuated by any human passions—apparently not even by a thirst of gain, for many continue in the trade long after it can be an object to them to increase their store—but following their inhuman vocation, from youth to old age, and deluding themselves with a full belief that, as long as they murder in strict accordance with the *vicine* laws, by which they are guided, they not only do no sin, but perform acceptable service to the tutelary

goddess, whom they worship. It is one of the most extraordinary phenomena of the mind, which has ever yet been revealed, that the moral sense should in these men, be so totally crushed, as to suffer them to make murder and robbery a trade, and to look upon their location as a sacred one. So incredible did this seem, that it was not until the system was thoroughly explained—all the mysteries of Thuggee fully expounded—the various omens, by which the movements of the Thugs are regulated, and the implements with which they work, minutely described—their method of destroying their victims, their ceremonies before and after the accomplishment of the evil work—all the minutiae of the sugar, the pick-axe, the roman, pointed out in graphic detail—it was not, we say, until all these things through the popular medium of some of the leading European reviews, were laid, in picturesque form, before the people of England, that they yielded their belief to the monstrous truth. It was, indeed, something almost beyond belief, and we do not marvel at their incredulity.

The success that has attended the measures taken by the British Government for the suppression of Thuggee is scarcely less surprising than the existence of the evil itself. In an incredibly short space of time, considering the vast extent of our operations, Thuggee if not altogether exterminated, has received its death-blow, and must expire ere long. The approver-system has answered to a miracle: by the primary detection of a few men, who, under promise of pardon and reward, have turned king's evidence against their accomplices, we have been enabled to follow and apprehend large gangs of murderers—to acquaint ourselves thoroughly with their system, to know their haunts, almost indeed to comprehend the nec-mansoury, by which every Thug is known to his fellows. Thus one apprehension has followed rapidly upon another—our approvers have increased in number, until there is scarcely a gang in the country, whose locality, or *beat* is not known to us. The exertions of a few active British officers have in a few years almost rooted out an evil, which, we have reason to believe, has existed for centuries, and unless they be prematurely checked by an undue feeling of security, or a destructive act of parsimony on the part of the Government, before a few more years shall have passed over our heads, not a vestige of the old barbarity will be left. Hear what Major Sleeman says:

"Except in the parts I have mentioned (Eastern Bengal between Bindnapore, Nagpore and Cuttack) and in Oude, I believe the roads are now from one end of India to the other, free from the depredations of Thug gangs; but there are many leaders and leading members of the old gangs still at large; and some of them may perhaps be in situations which enable them occasionally to destroy solitary travellers though they have for the most part I believe found service in the military and Police establishments of Native States. All these persons would return to their old trade, and teach it to their sons, and to the needy and dissolute of their neighbourhood, and thus re-organise their gangs should but pursuit be soon relaxed. To prevent the system from rising again it will be indispensably necessary to keep up the pursuit for some years, till all these leaders and leading members of the old gangs die, or become too old to return to their old trade. Under the pressure of this pursuit, their sons will take to honest industry, seeing no prospect of being able to follow successfully that of their ancestors."

The above is from the Preface of Major Sleeman's last report, which contains a number of most satisfactory documents, demonstrative of the great success that has attended the zealous labours of the Thuggee department. It is impossible to bestow too high praise upon the activity and enterprize of such officers as Major Sleeman, Capt. Vallancey, Capt. Paton, Lieut. Ramay, Lieut. Brown, Capt. Lewis and others, whose reports are contained in

the only volume before us. To Major Sleeman himself the highest honors are due. He has done more for the state than fifty "Ghuznee heroes;" and now that honors and rewards are being lavished so plentifully upon the conquerors of the Barukzye, he, who has conquered a more formidable and more obstinate foe, ought not to be forgotten. Such services ought to be substantially rewarded; for not only are they the results of courage, real energy, and activity of the highest order, directed towards the noblest ends, but they are of the most valuable character, both as regards the benefits conferred by them on the people and on the Government of the country. It is melancholy to reflect that all our time and all our money, with which such noble schemes of amelioration might have been perfected, should have been expended on military expeditions, and that the quiet, but not less arduous labours of the philanthropist should be overborne by the clamour of arms, and the noisy shouts of the conqueror. The war-like incidents of the last few years have so entirely thrown into the shade every thing demonstrative of the progress of national improvement, that if this progress has not been altogether checked, it has been obscure and unnoticed in its operations. Not only is the attention of Government, but the attention of the public diverted from the internal improvement of the country, by the demands of Foreign Politics and the occurrence of martial events. Even the Press is almost silent---the Press, whose issues were, not long ago, teeming with the effusions of scores of *Indophiles*, and whose editorial columns were principally devoted to the discussions of philanthropic reforms, is now grandiloquent in its treatises on Foreign Invasions, expeditions by sea and by land, attacks on forts and cities, marches and battles, conquests and disasters, from Herat to Canton---military despatches are criticized in the place of Orders of Government, and the dispositions of a commanding Officer are prated about instead of the reforms of peaceful Government servants. At such a time of excitement, even the crusade against Thuggee is lost sight of; it operates but it operates in silence; and the labours of Major Sleeman and his zealous companions fall to excite our attention, or move us to gratitude, whilst the more dazzling, but not more gallant or meritorious achievements of the Keenes, and Cottons, the Sales and Dennises, the Frasers and Ponsomys are before our eyes. But if ever a man deserved a pension for distinguishing services from the East India Company, Major Sleeman is that man.

We unfortunately cannot make room for the lengthy extracts, which we have marked in Major Sleeman's book, but before we bring these observations to a conclusion, we must remark that, judging principally by the long anonymous but able minutes on River Thuggee, which we published last week, the suppression of the crime on land has rather tended to increase it upon the water. The tendency is natural; for finding no security on shore, and seeing that the vigilance of the Thuggee officers is principally directed towards their land operations, they are likely to betake themselves to prosecuting their monstrous trade on the river, where, indeed, it is always more secure on account of the greater facility there is of hiding the corpses of their victims. We must, therefore, trust Major Sleeman and his subordinates* will turn their attention to this point, and that we shall soon see Thuggee disappearing from the surface of the river, as it is fast disappearing from the face of the earth.---*Husk, April 21.*

* It is pleasing to see the cordial praise which Major Sleeman bestows upon his associates. He gives to every one his due, seemingly by no means anxious to take all the merit to himself.

IMAGINARY CONVERSATIONS.

DOST MAHOMMED KHAN AND LORD AUCKLAND.

(Colloquy the first.)

DOST MAHOMMED.

And do I see before me here, in this place, the agent of all my sorrows and sufferings?

AUCKLAND.

The most unwilling agent.

DOST MAHOMMED.

Unwilling!—

AUCKLAND.

One who has sorrowed and suffered too,—who has felt the pain he has inflicted.

DOST MAHOMMED.

I have heard you ever spoken of as a mild and merciful man—I have heard, too, your character for justice. In our countrymen, who are just, have great honour, and a just ruler in the hour of his trouble, will have many adherents; but this I see, that justice, though open-bosomed at home, goeth abroad in strange disguises, and I must ask, as one not fearing to excite your anger, how it is that the British ruler, so equitable at home, should in his dealings with stranger nations forget all principles of right, and the just man become a tyrant?

AUCKLAND.

In the conflict of nations men must suffer. It is hard to say why this man or that should be the victim of these national collisions, even as it is difficult to say why, when the elements are conflicting, one man's house or one man's vessel, should be struck by the lightning or riven by the waves, whilst all other escape uninjured. Yet we do not say that God is unjust for smiting the one and sparing the other.

DOST MAHOMMED.

The ways of God are inscrutable to us, but all that he doeth can he justify. In what God doeth there is nothing of self. When he causes desolation, he acts, though we know it not, to some wise end, and never looks to his own aggrandisement. The faithful follower of the prophet acknowledges the wisdom of God in all things, although he be sore-stricken.

AUCKLAND.

I was ever a peaceful man—my desires are all for peace. We cannot employ our worse than in fighting with one another.

DOST MAHOMMED.

It is by the encouragement of such doctrines that your European Nations have reached such heights of prosperity and civilization. In countries, which are always warring, there is no time for improvement. The Ruler, who is ever in his saddle, may increase, but cannot improve his country,

AUCKLAND.

Most true---and thinking of this, when I came hither, most fondly did I hope never to add one inch of country to our already over-grown possession. For more than a century now have we been increasing our Empire, leaving ourselves not one hour in the twenty four, for the carrying out of those national improvements, which, if not duly attempted, the ruler degenerates into the tyrant, and the Government, which, under God, has so strangely devolved upon us, becomes a great usurpation.

DOST MAHOMMED. *

I have heard from others that such is the character of your thoughts.

AUCKLAND.

They do me but justice when they say, that I have ever studied to preserve peace and to employ the time, which only peace affords, and such abilities as God has blessed me withal, in the improvement of this neglected country and the wretched people, by whom it is inhabited. I say wretched, because ignorant---because, in some measure oppressed, for there are other oppressions than those of a positive and active character. When I came hither I found a fine country, with its resources almost totally undeveloped, I found a country possessing much, but yielding little, and a people labouring much to but small purpose. I then gave myself up, as far as was in my power, for a Government such as this involves multifarious duties, to the amelioration of what I regarded as a pitiful condition of things. Providence favored my wishes for some time, and I began to hope that the period was fast coming, when a spirit of improvement would take the place of a spirit of aggrandizement, and the plough and the loom be used to better purpose than the sword and the bayonet. I then laboured sedulously, and not without some success, to raise the degraded people of this vast country, by showing them the riches which they possess, but know not how to use, and thus labouring it was with no ordinary sorrow that truth broke in upon me, and I became conscious that for us Britons in India there is no halting place---that we must be ever crossing the confines of our Empire, and that every Minister, who takes upon himself the Government of this country, must be a War-Minister, whether he will or not.

DOST MAHOMMED.

Can it be otherwise? through war you first fixed yourself here, and through war only can you remain here. But why sacrifice me?

AUCKLAND.

A question not easy to answer.

DOST MAHOMMED.

I caused to be translated to me this manifesto, which you put forth, when you were gathering your army together on the frontier. "I was in no merry mood, but, by the Prophet, I laughed heartily. Perhaps the fellow, who undertook to interpret, was no adept in your language---or, perhaps these things are written only for the uninitiated, and you laughed yourself as you wrote. Allah! he must have had great command over himself, who could have forced his hand to write the words legible---the pen must have wandered about the paper and traced grotesque characters upon it. Jubbar Khan, who is somewhat

large round the loins, laughed as loudly as I did, but suffered more from it, for he does not easily get his breath again. We sat to thinking seriously afterwards—but we had our laugh first.

AUCKLAND.

But wherefore all this merriment?

DOST MAHOMMED.

My linguist may have been but a sorry workman in translating the language of the Feringhee into his own proper tongue, but of a certainty, it pleased us much to hear you speak of the good faith and integrity of your old friend, the Maha Raja of the Punjaub, of my unreasonableness in asking back the territory, which despoiled me of by force of arms and of the place which Shoojah-ool-Moolk occupies in the hearts of his faithful people.

AUCKLAND.

Believe me that I had no wish to work an interference—when I turned my thoughts beyond the Indus, it was with a view to commerce, not to war.

DOST MAHOMMED.

I heard so—and yet, under your Government has a war been commenced, the end of which our children may see, if they be long-lived.

AUCKLAND.

Why did you listen to the Russian?

DOST MAHOMMED.

Why did I listen to the Russian? Of a certainty you well know why? Have I not told you, that not until my heart died within me despairingly, as I turned my eyes towards the British power, did I even deign to cast a look upon Russia. What could I do? Day after day, month after month, and no friendly assurances, save those of mere idle compliments, came from those in whom I had trusted—whose amity I had hoped ever to possess. I looked again and again—but you sent me no assistance; you would not even promise to assist me. At my back was the Russian agent, assuring me of his sympathy of offering assistance—I wanted sympathy—I wanted assistance: but still I said “Allah is good, and, in His time, he will soften the heart of the British Ruler”—mortal hopes can not live for ever, unsustained and unencouraged—you would not hearken to my entreaties; no drop of rain fell to water the barren desert of my despair, and at last I ceased to look for it.

AUCKLAND.

You asked too much—your demands were unreasonable. We might, perhaps, have granted less.

DOST MAHOMMED.

Less? Asked but for mine own; what less could I have demanded? It would grate upon the ears of the British Ruler, should I declare in his presence, that the injustice, which has been perpetrated in this matter, has been born of Cowardice, and nothing better. It is said that Cowardice is only known to the English people by name. Through the whole world is English gallantry renowned, as something without a blot. Strange

then, that they who are so brave in the field, should be such poltroons in the Council Chamber. May I never speak word again, if you did not sacrifice me, because you feared, with a great fear, that infidel dog, Runjeet, the Seikh

AUCKLAND

• You speak boldly!

DOST MAHOMMED

And why not? you have done your worst upon me—what have I to fear? You called my demands unreasonable—were these demands made *non*, would you call them by such a name? You English change the tone of your principles, as you change the form of your garments, every year. We simple Affghins cannot comprehend you. When Soojah-ool-Moolk asked the soldier-ruler, who dwelt here before you, to aid him in the recovery of what he called *his* kingdom, the soldier-ruler answered that the English religiously abstained from interfering with the affairs of their neighbours. Your religion then wears one face this year, and wears another, in the next. But when Soojah asked, you had no objects of your own to further....

AUCKLAND.

Rather say that we had no foreign encroachments to guard against

DOST MAHOMMED

I smile when the English ruler talks of foreign encroachments. But we will not touch the general question. Grant that you *had* these encroachments to guard against. Did I not wish you to aid me in guarding you against these very encroachments? I asked, but I asked in vain. Had you aided me I would have raised a barrier that fifty Persian armies should not have been able to surmount. It was your desire, so you said in that merry document, which nearly cost Jubbah Khin his life, to have a friendly power in Afghanistan. I would have been the friend of England, but what have you there now? The Afghan nation hated Soojah-ool-Moolk—you say they did not love *me*. It may be so—according to English notions, Afghanistan *never* has enjoyed—perhaps, never will enjoy a ruler beloved by the people. Do not ask then, whether this king, or that king is beloved—but ask who has been the *least* hated by his people. The Affghans will not answer “Soojah-ool-Moolk,” but perhaps they will say “Dost Mahommed.”

AUCKLAND.

But we dreaded the effects of your intrigues.

DOST MAHOMMED.

If you had any intriguers of mine to dread, they were only those, to which you drove me. I tell you again that you have not raised a friendly power in Afghanistan. If you desire a country to present a barrier against hostile encroachments, see that it is inhabited by a friendly people. The power is in the people—not in the ruler, unless the Ruler lives in the universal heart of the people. The present ruler, call him what you may, is not a friendly power. He is neither friendly, nor a power. He hates you, and is hated by the people. You are lavishing vast sums of money upon the country, which you have taken from me, but have failed to place under Soojah's rule—you will have to lavish much more, before you have done your work—pay, you will lavish much more, and perchance, never do,

the work. Had you spent one tithe of it, in helping me to consolidate my empire, you would not have stood, as you stand now, wringing your hands in despair, as the utter ruin of your once-towering political hopes stares you in the face. I wanted but means to make myself beloved. You could have given me that, which would have rendered me the most popular and the most powerful monarch, who never sate in the Balla-Hissar. There would then have been a barrier, indeed, against hostile aggressions. You have no barrier now.

AUCKLAND.

We can raise one.

DOST MAHOMMED.

I doubt it not. But when all ought to have been done, it sounds strange to hear you talk of doing.

AUCKLAND.

Our destinies are not in our own hands—we cannot foresee the issue of events.

DOST MAHOMMED.

True; but it is in this power of foresight, limited though it be, that the difference between a wise ruler and an unwise one ever consists.

AUCKLAND.

We thought we saw it clearly—but great impediments have risen up since the work was commenced—impediments, which were but dreamt of in the philosophies of the most far-seeing.

DOST MAHOMMED.

In the East, the nations of Europe and England above all the rest, are celebrated for their skill in diplomacy. It is said that, by the wisdom of their political rulers, even more than by the courage of their military commanders have conquests been achieved by them in the East, still greater than the victories of Sekunder. Surely, then, your late enterprises must have been obnoxious to God; for if they have been marked by human wisdom and foresight, human wisdom and foresight have been defeated by the will of God. In how much have you advanced, since you published the notable declaration, of which I have just spoken? You have made me a captive—true—you have removed the only man fitted to be the instrument of your salvation. The Persian was at the gate of Herat, when you first bestirred yourself—the Persian is at the gate of Herat now. Two years ago, you said, that I was beckoning the invader to advance—who is beckoning to him now? There was safety for you then; the city itself resisted. The city will not resist now. The gate will be passed—and you will have to meet the combined armies of the Shah and Yar Mahommed upon the road to Candahar—a road on every side of which are enemies, who hate the Feringnee dogs, with a great and exceeding hate. You might have escaped all this. Think you, that I should have wanted the friendly offices of Persia and Russia, if you would have given me your hand? No—but in the fear of that accursed infidel, Runjeet Singh, you rejected my friendship, and I was driven to seek foreign assistance. Had you aided me, you might have laughed the Persians to scorn, though the Russian were linked with him. You English seem to dread the Russian—but why? He is only famous at being defeated. It seems as though God had set a

curse on him, and doomed him to endless failures. He is always worsted—even by his own slaves; or those whom he would fain have for his slaves. I have heard that Russia has no coin—that every thing is done by promises, written on paper, and called money. I am wise enough never to dread a nation, that has not abundance of coin. I have dreaded *your* money-bags even more than I have dreaded your bayonets—the money-bags, not the bayonets have brought me a captive down to Calcutta—ask Burnes *pahib* and he will tell you.

AUCKLAND.

It is useless to talk in this strain. For the past there is no help.

DOST MAHOMMED.

None—you must now look to the future—remember that I, your enemy, have told you that your only barrier against foreign aggressions in the hearts of the Affghan people. As long as the Suddozye sits on the throne, there will be no peace for the nation—no safety for you. I retire. The English ruler has spoken kindly—he has a tear for the unfortunate.—*Hurkaru*, April 13.

OBSERVATIONS ON THE PLAGUE.

The following remarks on the plague are from the pen of Doctor Lefevre; who, after having studied in the school of Medicine at Paris, passed the last five years in investigating the causes and symptoms of that fearful malady in Egypt. Having arrived last week in Bombay on his passage to Manilla, he is desirous, as there appears to be here some quarantine examination, to which ships from the Red Sea are subjected on entering this harbour, to dispel all apprehensions which may be entertained on the subject.

CAUSES OF THE PLAGUE.—Animal and vegetable substances, (the former especially appear to me to be sufficient,) when exposed to air and in a state of decomposition by the aid of a suited temperature and of internal water in them, constitute in my opinion, the indispensable cause of the Plague. These are my proofs.

I. The aforesaid substances in a state of putrefaction, whether solid or liquid, in any great quantity and taken internally, cause constantly all the symptoms and all the internal marks of the plague, except the pestilential bubo, and except the great and general inflammation of the lymphatic glands; therefore to introduce into the system the said substances either in a solid or liquid form, or to inspire them from the air in the form of gas, the result must be nearly the same.

The names of these gases called also miasm are, carbonic hydrogen, phosphoric, hydro-sulphat of ammonia, carbonic acid, and animal or vegetable matter, half putrified and held in suspension in the said gases and in the atmospheric air.

II. The plague has never been observed to be epidemic or endemic, except in countries deprived of public and private hygiene, where the aforesaid substances are exposed in a large quantity to the action of the air, and even in those countries the epidemics constantly cease when those substances ceased to have any humidity internally, or when their temperature became too low. It is from this cause that the epidemics cease always in Egypt in the month of June, when a high temperature has had time to volatilize the aqueous parts

of the dead bodies and of the impurities; and that they also terminate in the other more northern countries at another epoch, which varies according to that of the general drought. From this, therefore, is it that the pestilential epidemics have instantly and uniformly ceased every where, when a strong frost takes place.

In strong corroboration of my opinion as to the cause, or at least as to one of the indispensable causes of the plague, I shall adduce some facts, and by reasons deduced from my principles, endeavour to give an explanation of those facts.

As long as the temperature and the humidity of the impurities are favorable to decomposition, the cases of plague are always most numerous, in the filthy districts, and where the population is most concentrated. This explains why Europeans who in a country ravaged by the plague, or in any other barbarous one, being collected generally in the least unhealthy quarter, are less attacked than the natives, whether they shut themselves up or remain at liberty.

The commencement, the reign and the decline of a pestilential epidemic are explained, first, by the existence of impurities after the rains or irruption of the waters at a certain season; secondly by the successive augmentation of human bodies, which during the pestilential epidemics remain always unburied or badly buried, so that the effects re-act on the cause and *vice versa*; and, thirdly, by the slow drying up of the impurities and dead bodies, or by too great a lowering of the temperature.

The year immediately following one of an epidemic is usually fertile in plague cases, because the bodies of the preceding year not being as yet decomposed, either on account of their great dryness or from the too great lowering of the temperature, may become decomposed when the humidity and the temperature grow favourably. A moderate degree of humidity within any animal or vegetable matter, and a temperature of from 65d. to 85d. Fahr. are the most favorable to decomposition.

In the second year after an epidemic, the plague cases may be still numerous, from the above named causes, but the scourge must at length cease its ravages, on account of the considerable diminution of the population, of which the impurities and the badly buried corpses diminish in proportion to the concentration of the population.

It is worthy of remark that the miasms produce at one time the plague, at another, the typhus of Europe, at a third, the yellow fever, and at a fourth, an inter mittent fever, at a fifth, a dysentery, and then at another time, an ophthalmia. It is because they are breathed in doses variable without end, and that each of the gases composing those miasms, having its own peculiar quality, is more or less hurtful to the predominating economy, or may be wanting according as such special animal or vegetable substance may predominate or be wanting, and according also as the decomposition of the mass shall be more or less complete, and that it take place by the aid of sweet and salt water, or of only one of them. It is therefore evident that if the miasms vary thus, so must also their effects, so the names of the maladies produced by those must also be varied.

On another side it is not sufficient to take into consideration solely the miasms, or predisposing causes of the above named maladies, it is also necessary not to forget the causes called determining or occasional, which are common to all maladies. They are the moral or physical influences of every kind, which either separately or aided by the predisposing cause, are sufficient to produce fever, under which all the symptoms now arise of the plague or of any other typhoid fever, without which the plague would present nothing more than

some buboes or malignant pustules, or external carbuncles, together with the internal inflammation of the lymphatic glands. Some of those causes may be specified, such as fear or any other strong emotion of the soul, watchings too long prolonged, food of a kind too exciting or too debilitating, old habits too suddenly or too completely interrupted, the rapid action of temperature either too high or too low; the stoppage of cutaneous transpiration, which with the other secretions and as long as health exists, tends to expel from the body the miasmatic poison, in proportion as it enters, which, be it said *en passant*, is a sure guarantee, for who ever has breathed the pestilential case, by which he is not susceptible of being attacked but within a few days, about two or three, after he had ceased to be subjected to the cause. Thus is explained the important question of the incubation of the plague, and the more so, as my theory appears to be confirmed by experience.

Now with regard to the preceding account of the different occasional causes, it appears to me to be easy to comprehend, why all individuals, altho' subjected to a strong cause, of infection do not necessarily succumb to it.

The constitution of each individuals may also aid the miasmatic cause. The lymphatic constitution is allowed to be most susceptible of attacks of the plague, doubtless from the important part played by the lymphatic or gland system in the anatomical injuries of this malady.

Finally and always, in order to seek the account of the various maladies arising from the same predisposing cause of miasms, the other atmospherical elements ought not to be forgotten, of which the action on the organization of man is, it is true, partly unknown, but which have in the plague far less importance than what is generally sought to be given to them by those, who have hitherto written on the causes of this malady. The proof is that always when there are no miasma, there is no plague, as I have already stated, and as history itself will demonstrate to all who examine it on our principles.

GENERAL SYMPTOMS AND INTERNAL INJURIES OF THE PLAGUE.—They are fever and general lassitude, stupor of the *facies* (hence its general name of *typhus*) pains in the head and in the spinal marrow, vomitings, petechiæ or purple stains of the skin, malignant carbuncles or pustules.—symptoms which are but the expression of the miasmatic poison of all the solids and liquids of the body, and of the following anatomical injuries, viz. an inflammation more or less strong of the digestive organs, and of the cerebro-spinal system and an enormous inflammation of the lymphatic glands of the cavities of the stomach and abdomen. What we have just stated relative to the symptoms and injuries of the plague may be also applied to those of the epidemic typhus in Europe, with this sole exception, that in the typhus the injurious attack (lesion) of the lymphatic glands is much less than in the plague; the buboes named pestilential are also wanting.

As to the yellow fever, (called also the American typhus, because its ravages are more felt there than elsewhere), it has also the same symptoms and the same lesions as the plague, except that in that the skin is yellow, and icteric, all which appears to arise from a strong and continual injury of the liver, the secreting organ of the bile, and moreover the buboes and malignant pustules are ordinarily wanting. If they appear in conjunction with its own symptoms, it may then receive the name of the plague.

Notwithstanding these differences, those three typhus have the appearance of belonging to the same family, so that one easily comprehends that they may be engendered by a common cause of the same kind tho' not absolutely like. This bringing of them together

in the view is not without utility to science and to humanity, at this time, when the plague and the quarantines are so oppressive as well to Europe as to the Levant, all this arising from a wish to consider the plague as a separate and independent malady.

TREATMENT OF THE PLAGUE.—Conformable to the aphorism, *ablata causa, tollitur effectus*, if the miasmas are the principal causes of the plague, the plague patients, who cease to be subjected to this cause, and who enjoy the beneficial influence of pure air, will recover rapidly and in a great number; this fact has been observed to take place.

On the other side, the extraction of blood, the antiphlogistic treatment, is that which ought to be employed first, and before any prostration of strength; at the late stages, if the malady is prolonged with the hope of recovery, the treatment will require to be revulsive to the exterior and slightly tonic to the interior. The same treatment is also the only one applicable to the typhus of Europe and the yellow fever.

CONTAGION OF THE PLAGUE.—The essential cause of the Plague being known, it is easy to comprehend its contagion, which is that of the infection, generally considered as belonging to the typhus of Europe and to the yellow fever. This term, contagion by infection, signifies that the elements or gas composing it, are of an infected disagreeable smell. What are those elements or gas? Their physical or chemical properties are unknown; but it is known that they arise from the air breathed by and from the secretions of all sorts of sick; but their effects on the organization of man are fully known; it is known that they produce the plague, that they cause the symptoms and lesions similar, to those produced by the miasms. One is therefore obliged to conclude that the principle of contagion, whatever may be its elements, is of the same nature as the primary and general cause of the plague. One is also obliged to conclude that in like manner, as the miasms belonging to this primary and general cause, will be so much the more dangerous, all things being otherwise equal, that persons will be subjected to their influence for a much larger time, or that they will be reached in a much greater quantity, and their quantity will be in proportion to the number of sick, and of the abundance of their secretions in a fixed place, and of the slight renewal of the air in that place. These results are positive, incontestable, and besides they are confirmed by experience. Thus, what is done in Europe with persons attacked by the typhus? They are as soon as possible placed in pure air, in large rooms or under tents where the air can be frequently renewed, from which time, the sick persons being taken away from the cause of their attack, have a chance of being cured with much more certainty and speed, while all who come near or touch them, do so with less danger. Such are and with reason, the proceedings, with which one begins towards the yellow fever; and which also beyond doubt ought to be put into practise with regard to plague patients, all contact with whom must present the same danger, as do the persons attacked with typhus; of this I had positive proofs from personal experience in the Plague hospital at Cairo, during the epidemic of 1835, and by very precise reports furnished to me, of what had taken place the same year in the hospital of Alexandria, and of Smyrna in 1837. Yet, if there should be found one inclined to deny all contagion in the plague, he ought to be informed that if he entertain doubts, it will be better to admit the contagion we believe (the only admissible one, as we shall show presently) since the obligations required by it are of a less importance.

This manner of considering the contagion of the plague and consequence arising from it; the inutility of lazarettos and of quarantines, have for the present, many incredulous or opposing persons. But let us recollect, that when there is question of the plague, egotism,

prejudice or ignorance govern the great mass of mankind. In reality, beware of believing;—and here I address myself especially to the Gentlemen of the Medical profession, that they may, as I have done take the trouble of, as it were, interrogating the malady close at hand—that they may endeavour to explain as I have sought to do, the general and regular facts, which may be seen under the head of CAUSE. Some try to find coincidence of contact more or less distant from the plague cases that appear, and then, when they found that coincidence (which is usually easy to find, thanks to commerce and repeated communication among nations) they are satisfied to oppose those facts which they call conclusive. But the proof that they are any thing but conclusive, is, that if one had a wish for it, there could be found similar coincidences with regard to every other malady admitted to be non-contagious.

But now we shall adduce facts, which in the opinion of the partisans of quarantines, confound our theories and force us to everlasting silence.

This year at Alexandria, where the plague cases were quoted at as many as 30 each day; it was said that several cases had been observed in five or six families, when instead of making inquiries, if besides the influence of the general risk of those families, they were not subjected to a special one of infection in their own homes (which I generally found to be the case in each of them); instead of inquiring if some unfortunate accident could not have contributed something as often happens in the maladies that reign in Egypt at other epochs of the year, such as intermittent fevers, dysenteries, ophthalmia, &c.; in fine, instead of examining to what point the contagion by infection could have been able to contribute, on its part, to produce those facts; instead of that, all was thrown on the count of superlative contagion. Thus, the dread of contact, because considered dangerous had a most deplorable influence on the minds of the Europeans there.

As for the natives they do not believe in the contagion of the plague, and thus as I lately read in the history of Mehemet Ali by M. Mengin, they having remarked that their epidemics did not appear until after the rains, conclude that they are owing, not to contagion, but to the water fallen from the sky, to a certain temperature or to a certain state of the atmosphere, or to some other cause belonging to the soil. In this they are perfectly right, and in this respect they exhibit more judgment than the Europeans. In reality the epidemics of the plague never break out in Egypt, nor any where else, until after the rains. It was thus that the epidemic of 1835 in Cairo did not begin until after the heavy rain of the month of January, and that it became more strong after the rains of the month of April in that year; what I have stated of the epidemic of Cairo in 1835, is also to be said of that of 1824, according to the most correct information I could procure on the subject, used also, without doubt, of all those that preceded it. Not indeed that the epidemics must always break out after every shower, or even abundant rains. I have already explained that point in the article on the causes.

From the preceding remarks, it will be easily understood, why the plague does not break out in the part of Egypt, when there is no rain. The overflowing of the Nile is insufficient to excite it there, from the reason, that it does not enter the villages, or clusters of huts, where alone are scattered on the ground the impurities of animal matter in any great quantity.

As to the seaports of the countries of the Levant, it rains there frequently, and that may explain why the plague exhibits itself there more frequently, at least as far as Egypt is concerned. There also are usually many Europeans, and others, who watch the name of

every malady, and there is nothing wonderful that the plague is found out there more frequently than in any other place, and that great stress is laid on that circumstance in order to say that it is a proof that the scourge has been brought thither from some foreign country.

According to what I have stated about the cause, and the contagion of the plague, it is by no means doubtful that this malady is transportable into any country whatsoever, but if it be healthful and if care be taken, when the plague be discovered, to adopt the same precautions as those adopted for the typhus in Europe, it is altogether impossible that the scourge can extend its ravages. And when I say that the plague is transportable, I mean that it is so, by means of persons affected by this malady; for the theory of infection does not admit but with great difficulty, that goods or "compromised" merchandize can communicate the typhus, and from the reason that the miasm, which they are susceptible of containing, must be found there in quantities too small to poison any. Facts may be brought to corroborate this theory, for as soon as the miasms are wanting, the public sale of the goods belonging to individuals lately dead of the plague, is always carried on without any danger. Besides I have heard it said by M. Segur Dupayron, who has made a great examination of the plague, and I have read in his last work published in Oct. and Nov. last, that there does not exist one single fact to prove that merchandize had communicated the plague.—It is true he does not hold the same language as to "compromised" goods or luggage, but all that comes from the fact that those who had breathed the pestilential cause, at the general focus, are liable to be attacked by the plague, some days after their departure from that focus; and that author has been able consequently, without controverting the probabilities, to accense the baggage in daily use of travellers, while he could not say the same thing of merchandize, which is not disembarked in general, until a long time after the stated departure,—a long time after the pestilential poison shall have left the interior of the bodies of the aforesaid travellers, and the more so, be it understood, that during the passage, they had not experienced the influence of the contagion by infection.

All this serves to recommend to the governments a proper system of care for the public health, and to each individual a proper care particularly in cleanliness. It is true that it, not easy to any is except to such as are well instructed and have means for the purpose, and whose duty it is as having those advantages not only to exercise them for their own exclusive benefit, but also to encourage and aid others to do so. From paying great attention to cleanliness, the results to the inhabitants will be the most perfect security against all epidemics producing mortality, as designated above, even without a quarantine.

However, the lazarettos or quarantines are not in themselves the things most hurtful to the countries ravaged by the maladies now under consideration, but they become so in a horrible manner by the illusory confidence, which they inspire on the subject of the plague, by the indifference or deplorable inaction, which they bring after them, relative to the means of preserving the public health, or general cleanliness. On this subject, we shall exhibit a melancholy picture in a series of errors.

In every country of the Levant it is denied that, there the plague is liable to break out spontaneously, especially during the year of an epidemic.—Some city, or neighbouring country is accused of having made the fatal gift, and in its turn the accuser is obliged to bear the accusation also. Each accuses the other, and the result is that to put themselves beyond the risk of their neighbours, it is thought necessary to place at the frontiers a lazaretto, and to have all the miserable consequences which accompany it. After having regulated the lazarettos, the laws are put into rigorous execution, and yet, notwithstanding all, the plague soon appears. It is then

insisted upon, that it is because those harassing measures have not been sufficiently so, and that too much indulgence has been shown. As to the impurities, they, it is maintained, are but secondary things, when the plague is in question. The quarantines alone ought to extinguish the plague there, as they have done in Europe.

* In Europe, civilization, the well arranged burial of bodies, the removal of all heaps of uncleannesses, have coincided almost with the establishment of quarantines, and it is to the first and not to the second that we ought to attribute the extinction of the epidemics of the plague. As to the present time, it is incontestible plague that the plague makes its appearance there still with all its symptoms, in filthy and infected places. But it is not recognized as the plague; it is merely called a simple European typhus with buboes and carbuncles. Nevertheless when all the symptoms of the plague are found in Europe, by what right can it be called merely an European typhus? For my part I am convinced that if the epidemics of the plague did not occasionally appear to excite alarm and to stimulate attention on their ordinary theatre, it would not be remarked any where.

Lazarettos have been raised against foreign countries: I have said, but that is not all; the partizans of quarantine, have heard or believe they have seen that those, who in the interior of a city or of a village, ravaged by an epidemic of the plague, having shunned all perilous contact, had always escaped from the malady, and from that time not only did they isolate themselves in their own houses, or go out from them with trembling, but they also force all to shut themselves up, who are suspected of being infected with the plague, as well as those who are called "compromised," but who cannot be all discovered. These unfortunate beings are left without pity to themselves, to die of the plague or of despair, sometimes of positive misery, in their sort of prison, which is ordinarily nothing more than a receptacle of every kind of filth, fetid and revolting: or what is scarcely better, they are sent to the lazaretto destined for them, and the whole proceeding is carried on with forms, which strike with terror the souls of the victims and of all the people. As to the medical treatment required by the state of those wretched prisoners, it is not considered as a pressing affair, but rather an insignificant accessory in comparison with their contact.

As the epidemics cease always at a certain epoch, and as the few cases of the plague scattered here and there, during the numerous years of the enemy, cannot be considered as the propagator of the plague by contact, even where no sort of precautionary care was taken, the partisans of quarantines have been obliged to allow that the plague is not sensibly contagious out of the time of the epidemics, that it is not sensibly contagious without a certain individual predisposition and without certain unknown conditions of the atmosphere. In times of epidemic, they suppose the contagion, because the plague cases are very numerous. Such are their sole proofs.

It results from those suppositions that you may in vain present to them facts by thousands against contagion, as has been done before us without effect by many who are called the anticontagionists; they do not trouble themselves in any sense in support of the quarantines. It is therefore necessary to do something more, they must be driven out of their last retrenchment; it must be proved to them that the conditions of the atmosphere, which they call unknown, are very well known, and that they are nothing else than the miasms, and from thence the results will be, that what they attribute to a terrible contagion, is nothing else, (apart from that which is owing to the contagion by infection) than the general influence of a pestilential air.

As to the pretended individual predispositions, which being improper words, ought in such cases, to be rejected, we have given a good account of them by the influence of OCCASIONAL CAUSES, and of the various secretions of which the activity or influence varies without end according to numberless circumstances.

As for the assertions touching the pretended and constant advantages derived from isolating oneself in one's home even in the midst of an epidemic and pestilential focus, we shall say, that they do not deserve any confidence, for if the quarantines be found under the influence of such focus, they who undergo them, run great risks of catching the plague; since their empoisonment will be that of a typhus, and experience proves that all the maladies, in the midst of an epidemic focus of the plague, whether quarantine is kept or not, resume themselves into one, viz. the plague.

To this it is answered, that if people during quarantine have had the plague, it is because they have had contact either from an insect or from some other animal or from a thread. It is evident that with such contacts, all separation, and every quarantine cannot be otherwise than had, when there is real necessity for it.

Finally, some public establishments are incessantly quoted, which during the epidemics of the plague were spared, though not far distant from the dying, and dead bodies, in a state of putrescence. But if proper informations be taken, it will be found that those establishments generally contained some cases of the plague, that there were in their interior good order and cleanliness, that they did not conceal any bodies in a state of decomposition, that they were at a distance from the unhealthy quarters, or that the direction of the winds in relation to those quarters, was generally favorable to them.

If I had not studied the plague in the midst of an epidemic with the interest, which one bears to the study of a malady not long since almost unknown, and without any more precautions than if the danger was nothing; if subsequent to the terrible epidemic of 1835, I have always been a witness of the scourge; if finally, since that epoch I have given myself up with all the warmth of passion to the constant study of this malady, to the perusal of histories of the plagues which have ravaged the world, to the examinations of all sorts of objections, I should not have dared to emit such a decided opinion.

It is for me a high satisfaction not to entertain the slightest doubt on this most important question of the plague, and I shall feel great pleasure to transmit my convictions into the minds of my readers.

LEFEVRE,

M. D.

Of the faculty of Medi-

Bombay, 16th July, 1840. — *Bombay Courier*, July 16, 1840.

**ROUGH NOTES, BY CAPTAIN LEWIS BROWN, OF THE
5TH REGIMENT BOMBAY NATIVE INFANTRY, OF A
TRIP IN THE MURREE HILLS, AND
DETENTION IN KAHUN.**

Having been appointed to the command of a detachment about to occupy Kahun, a walled town in the Murree hills, I proceeded to Poolajee en route, in company with Lieutenant Clarke, 2d Grenadiers, on the 8th April 1840.—On the morning of the 8th I reached that post, and found the following detachment assembled :

300 Bayonets, 5th Regiment under Ensign Taylor.

2-12- Pr. Howitzers, Lieutenant D. Erskine.

50 Scinde Irregular Horse, Lieut. Clarke:

50 Patan Horsemen.

With this detachment I was to convey up 600 camels, bearing supplies for 4 months, and Lieut. Clarke was to return with the empty camels, with an escort of 80 infantry and 50 horse, and bring up 4 months' more. I left Sukhur in a great hurry, but on my arrival at Poolajee, was detained in consequence of delays in the commissariat department, until the 2d May. About the 15th April the weather became excessively hot, the thermometer ranging to 112 in my tent, in the middle of the day—the consequence was some sickness in the detachment: Lieutenant Erskine and Ensign Taylor were both attacked with fever, and one subedar died from a "coup de soleil."

April 20th—At the requisition of the political agent I despatched Lieutenant Clarke and his horsemen in the direction of Shapoor, there to be joined by 100 men of the Bellooch Levy, under Lieutenant Vardon, and from thence to proceed S. E., in the direction of the hills, to try and surprize a party of Culpere Boogties. The Chuppao failed, in consequence of treachery in the guide. The sufferings of the party, from the heat, and want of water, when crossing the desert on their return, were beyond any thing conceivable. The Bellooch Levy alone, left 25 men behind, 3 of whom died.

27.—Received an express from the brigade major, directing me, in consequence of Erskine's sickness, to order the guns back to Lehree, and proceed with the cavalry and infantry alone to Kahun. Dr. Glasse joined to-day.

29th.—This morning I received such strong reports of the intention of the Murrees to oppose us at the pass of Nufosk, and again in the Fort, that I immediately, on my own responsibility, made a requisition on Lehree, for one of the guns to be sent back under a native officer. Having been before over the hills, with the detachment under the late Major Billamore, I knew the almost utter impossibility, if opposed, of getting my convoy up safe without artillery.* Erskine having somewhat recovered from the fever, came himself with the gun.

*Note. This was a most fortunate circumstance: in more instances than one, the gun became of double value, and I obtained not only one of the most pleasant and cheerful companions, during our lonely life in Kahun, but a most staunch and able assistant in my difficulties.

May 2d. — There being some dispute about finding the Patans in provisions on their way up, and not myself thinking they would be much use to me, having been present in November 1839, when they turned their backs on the enemy, without drawing a sword, I at once ordered them back to their quarters, and the commissariat having reported the 4 months supply being all ready, I this morning commenced my march into the hills, leaving behind 1 gun and 50 horse.

Marched 6 miles into the hills direct east ; the last 4 miles very heavy for guns, being nothing but the bed of a dry river, with deep sand and pebbles. Encamped close to a delicious stream of water. Wood and grass were in abundance, but the heat between the rocks was excessive. Ensign Taylor became too sick to proceed, and returned to head quarters, leaving only one officer (myself) in charge of 3 companies.

3rd. — Marched on 8 miles, starting at 2 A. M. and arriving at 7. Road very heavy, encamped in bed of river. Forage abundant. Sulphur rocks close by. This was the hottest day I ever remember to have felt in India ; the thermometer rising to 110, with a hot wind like a furnace blowing.

4th. — Marched on 7 miles, not getting over more than a mile an hour, the road being so heavy. Water nearly the whole way, which was most acceptable as the hot wind of yesterday continued during the whole night. — Encamping ground as yesterday.

6th. — Marched on 6 miles, the wheels of the gun and waggon becoming rickety from the stoney state of the road, lightened them by loading the ammunition boxes on camels. A sepoy died here from the effects of the sun — Encamping ground as yesterday.

7th. — Marched on 12 miles, 5 along the bed of the river, then over some table land, to a drop leap into the river again, down which the gun and carriages were obliged to be lowered by ropes. Strong reports reached us of the enemy getting ready to oppose us, and that they were busy getting in their crops. From this encamping ground there are two roads to Kahun, one round by Deerah, distance 74 miles, and the other a short cut, over the mountains of Surtooff, and Nuffook, distance only 20 miles, but very difficult for guns. Being left to my own judgment by the brigadier, I decided on the short cut, having been over the same road before, with artillery, trusting to arrive in time to save some of the crops.

8th. — Left the bed of the river, and marched over a table land, to the bottom of the Surtooff, distance 6 miles, which took us 5 hours, there being some very bad nullahs on the road for guns. Encamped at the foot of the hill, where we found a beautiful stream of water, and abundance of forage. At 4 P. M. we commenced ascending the hill ; the camels going up first. The distance is but a mile, but so steep, that the last camel did not reach the top until day light, exactly 12 hours. The labor of getting up the gun and carriages, was trying and laborious in the extreme : some parts of the hills were almost perpendicular, and not one inch up would the bullocks pull. Here, while all hands were engaged in this labor, the Beloochees began first to show themselves, in small bodies, annoying our flanks and rear.

8th. — Encamped on the top of the hill, but in consequence of there being neither water or forage, obliged to send down all the animals to the bottom again, the men going down by division.

9th. — About 150 Beloochees assembled below the hill, evidently with the intention of attacking the watering party, in consequence of which I reinforced them with 100 men,

under Clarke, when they immediately dispersed. Marched on over a fine table land, to the foot of the Nuffosk Pass at 6 o'clock this evening, distance only 6 miles, but from the number of small nullahs, and the overloaded state of the camels, we did not reach our ground until day light.

10th.—Ascended the Nuffosk Pass this morning with 100 men. No appearance of an enemy, although we found that they had built up breastworks across the road, in 3 different places; removed them, and commenced getting up the gun, &c. which took us from 6 in the morning until 4 o'clock in the afternoon, the bullocks being perfectly useless. This was an exceedingly hard day's work, the heat being excessive, and a great want of water. In fact, none at all for the cattle. Commenced passing up convoy at 4 P. M., the last camel not reaching the top until 3 A. M., although the distance was only $\frac{1}{2}$ of a mile. This was caused from the overloaded state of the camels, and there only being one camel-man to 6 and 7. The camels fell down and gave in by dozens, and many bags were dropped. To obtain these last, some 60 Beloochees who had been watching us all day, followed up the rear-guard, when a few shots were exchanged, and Clarke and myself took post with 12 men on some ridges overhanging the road. When the moon went down, the Beloochees made many attempts to get up the Pass, but were easily kept at bay. A great deal of ammunition was wasted, without much effect, from the darkness of the night. This was the third night we had been under arms.

11th.—From the top of the hill we saw several fires in the Kahun plain. Commenced descending at day light. Descent one mile in extent. Immediately the rear-guard left the top, it was crowded by about 60 Beloochees, who commenced a sharp fire, but at a long distance. Clarke and myself having remained in the rear, to try and bring on some of the bags dropped, we received some special marks of their favor. One Beloochee appeared to be a particularly good shot, for he managed to wound (slightly) Clarke and his servant,—and a havildar, standing close by, was only saved by the ball lodging in a small Mus-suck he had slung on his shoulder. We were obliged to put up with this annoyance for some time, being too anxious to get my convoy safe to Kahun, to think of returning up the hill to attack these people. The cattle were almost dying for want of water. By 2 P. M. we got guns and all safe to the bottom, only leaving two bags behind, and encamped for an hour in a strong nullah, clear of the hill. At 5 P. M. moved on Kahun, distant 5 miles, over a fine level plain, reaching it at 7, and finding it completely deserted and the gates removed. Thus ended this arduous and trying march. The difficulties we encountered from the nature of the road, being entirely through beds of rivers, and over hills, and the want of water at the latter, were great indeed. The heat was excessive, and as the bullocks refusing to put their shoulder to the collar, the labour of getting the guns over the hills, fell entirely on the sepoys. The convoy often stretched for 2 miles, therefore to properly guard it on all sides was out of the question; but through the strenuous exertions of officers and men, all was got up safe, without loss or damage. Encamped under the walls of the fort for the night, all hands being completely done up. It was a delightful sight to see the camels and bullocks rushing to the river. I thought they never would have stopped drinking.

Kahun is a large, irregular, sex-angular walled town, 900 yards in circumference, with 6 bastions and one gate-way. The walls are about 25 feet high, but so thin in some places, that they are seen through half way down. There is no ditch, but a tank in front of the gate-way, which fills after a heavy fall of rain. The houses inside are in very fair order, they principally belong to the Banyans, the Murrees (with the exception of the chief, his brother, and a few followers,) inhabiting the plains outside, building mat huts in the summer, and retiring to the narrow passes on the hills in the cold weather. The plain on

which Kahun is situated, is about 15 miles long and 6 broad. The air is very pure, and heat not nearly so great as it is in the plains.

12th.—I got the detachment into fort during the day, and found the inside of all the bastion destroyed, some still smoking. A sepoy strolling but without his arms, was cut down within 500 yards of the fort, and his head severed from his body. Clarke, with 20 horsemen, had a long chase after the enemy, but could not touch them. However, he sent in information of some grain, still standing, and I sent out a party and secured 50 camel-loads of wheat, in stalk. The party also found the gates* of the fort in a field about 2 miles off.

13th.—During the night, the Belloochees commenced burning the wheat they could not carry away in the day time, so I sent out another party, and secured 50 more camel-loads. I commenced clearing out the large well, into which the Belloochees had thrown large logs of timber, and other kinds of lumber. An unfortunate dooly-walla was smothered in going down to fasten on a rope.

14th.—I was busy all day in repairing bastions and putting up the gate: in the former, I found layers of cow-dung, covered over with earth. Some still smoking, and water† seems to have no effect in putting out the fire.

16th.—The return convoy under Clarke, started this morning at 2 A. M. *en route* to Pollajee. I had received instructions from the brigadier to increase the number of infantry, if I thought it necessary. I did so, with a subedar's party, consisting of five havildars and 80 rank and file. Clarke took them over the first hill, when, I suppose, finding no opposition at the difficult pass of Nufsoos k, he sent them back, proceeding on himself with the original party, and 700 empty camels. About 12 o'clock a dooly-walla (a dooly and 6 had accompanied the subdar's party,) came running in with the dreadful report that every man of the subedar's party had been massacred! The dooly-walla was the only man who escaped, and his is the only account we have of this melancholy affair. He says that "the subedar on seeing the last of the camels " over the hill, began to descend on this side. That when half way down, they all of a sudden saw the top and bottom covered with Belloochees, that the subedar. Then commenced " a double march, and took up a position on some rising ground, forming square. The Belloochees, to the number of 2,000, then completely surrounded them, and after receiving " 2 volleys, rushed boldly in on them, and began to slaughter them right and left. He saw " the subedar fighting to the last. He himself managed to escape, by hiding in a nullah, " were an old Belloochee found him, and after stripping him of what he had, let him go." The poor subedar was one of the best native officers in the regiment. He belonged to my light company, and was a great favorite of mine. We had been much together during our former campaign in these hills, and I felt his loss very much.

17th.—In great suspense about Clarke and his convoy. A spy came in from the enemy to-day, and was very inquisitive as to what number of men were left to defend the fort, &c. I put him close prisoner, with orders to shoot him on the first approach of the enemy. We were busy all day strengthening our post, the detachment being now reduced, in consequence of this unfortunate affair, to 140 bayonets and one gun, rather too few to man 900 yards of walls. I got the gun on bastions next to gate-way.

* These gates were afterwards invaluable to us, as also the wheat grass, when no forage was procurable for our horses.

† One bastion took us ten days watering before we succeeded.

18th.—About 60 horsemen passed coolly round the fort, at a hand gallop, waving their swords, and giving us inculc abuse, but taking very good care to keep well out of range of musket-shot, also from the gun side. I offered 150 rupees to any man (follower) in the fort, to take a tapāl down to the plains, but none would venture.

19th, 20th.—All hands during these two days were employed in repairing bastions, &c.

21st.—A cossid came in this morning with a note from Lieutenant Vardon, containing the most melancholy intelligence of poor Clarke's death, and the defeat of his party. It would appear that they had got as far as the bottom of the Surtoff mountain, 13 miles from Kahun, when the Murrees were seen assembled in large numbers at the top. Clark, after placing his convoy, and part of his infantry, to the best advantage round his convoy, proceeded a little way up the hill, with about 30 infantry, to attack the most forward of them, and after fighting most gallantly for 2 hours, the ammunition being all gone, he, with the rest of the men who were with him, were all killed. Clarke himself killed 2 of the Bellooches with his own hand, and a third he seized round the waist, dashing him to the ground. He was then seen to stagger, as if wounded, and some of the Bellooches on another part of the hill, seeing a bugler, Clark had sent down, bringing up ammunition, called out "now charge them, they are out of cartridges"! They did, and every man fell. The Bellooches then fell on the convoy. The horsemen made for Poollajee at speed, and the rest of our unfortunate sepoy were all massacred, save one havildar and 11 privates. The number of Bellooches present, appears, from all accounts, to have been 2,000. The loss they suffered is unknown, and ever will be. They only acknowledge to 25. They secured every camel, tent, &c.

Poor Clarke. Although having only known him for 8 or 9 months, still it was during scenes when months become years, and friendship becomes firm and lasting. We first met in November 1839, when he joined a field detachment (of which I was staff-officer) proceeding against the Bellooches in these same hills. He at this time commanded 150 of the Scinde irregular horse. From the day he joined, he was the life and soul of the party, and, although a stranger to most of us, soon gained the esteem of all. Before he arrived, the country around had been subject to almost daily plundering. Enthusiastically fond of his profession, more particularly of his new command, the horse, he sought daily and hourly opportunities of distinguishing himself. He was in the opinion of all, the "beau ideal" of an irregular horse-man. Brave and daring himself to a degree, he soon inspired his men with the same spirit—men, who were before almost a perfect rabble, became, through his bright example, most excellent soldiers in a short space of time. The men became fond of him to a degree, and with him at their head seemed to think any odds against them of no moment. During our short campaign of 4 months, he was engaged in every skirmish we had. A few days after he joined, being detached to a post 9 miles off, without information, and perfectly ignorant of the country around, he succeeded in surprising 60 Bellooches plundering some fields, about an hour before day-light. At the time he fell in with them, he had only 10 men up with him, but not hesitating a moment, he dashed in amongst them, killing 7 and taking 3 prisoners, the rest escaping through the thick jungle. Again, when the Roogties attacked a party under Lieutenant Raitt, in the hills, he distinguished himself greatly, charging through and through the enemy, and killing three with his own hand. On our march up to Kahun, he was of the utmost assistance to me, not only in commanding the rear-guard the whole way up, but in his strenuous exertions throughout. When wounded on the thigh at the last hill, his coolness and courage showed themselves conspicuously. Thinking the ball had gone through, (he afterwards

described the feeling to be just the same as he felt, when wounded at Kurrachee, when the ball went right through his thigh he said to me " dont say a word, it has gone right through me, but I do not " want to show those fellows their shot has taken effect." To this day the Murroes speak of his bravery, * calling him the "Bura Bhadoor." He now lies buried half way up the Surtof. Thus did the 5th regiment Bombay native infantry lose in one day, killed,

1 Subedar	5 Havildars.
1 Jemadar	130 Rank and File

21st.—Despatched cossid on return to the plains; and knowing the anxiety that would be felt regarding not only our present but future fate, reported to Brigadier Stevenson, my having still 4 months supply of provisions left, and that I would do my utmost to hold the fort.

24th.—Thinking there was not much chance of another convoy coming up, I took a strict account of the provisions, putting the men on half ration. All hands were busy strengthening the fort. I divided the detachment into 4 divisions, giving each a side to defend, and was obliged to bring every man on duty at night for fear of a surprise. From this to the 27th, we were busy clearing the ground of every thing in the shape of tree or shrubs for 200 yards round the fort outside.

27th.—An express from Lieutenant Loch arrived to-day, saying he was coming up with 200 horse, to see what had become of us, and to open the communication, Sent back the cossid immediately to tell him on no account to attempt it, as, if defended, he could never force the Nuffook pass, particularly with horse.

28th.—This morning, when the foraging party were out, some horsemen were seen prowling about the bed of the river. The "assembly" was sounded, and some 7 or 8 horsemen, more bold than the rest, came within long musket-range, and a sepoy shot one: They then moved off at speed, Erskine getting a long shot and killing another.

* I have been exceedingly sorry to see in one of the Bombay papers (Courier June 1840) an attack on poor Clarke for rashness in this melancholy affair. The writer could never have seen the country he had to pass thro', or he would have abstained from his remarks, which were both unkind and uncalled for, being given merely on the report of an ignorant Balooch Guide. The real truth will perhaps never be known. I mean his reasons for attacking the enemy. But in my humble opinion, for the following reasons I think he was right. From the spot where the fight took place, is 40 miles to the plains, through beds of rivers the whole way, with high rocks on each side. The camels (700) under his charge, would stretch at least 2 miles through these ravines with only 80 infantry and 50 horse and one European officer (himself) how was it possible to guard them at all points, when followed up by some 2000 Beloochees! No: I think it very likely that, seeing the hopelessness of getting his convoy safe to the plains, and having to much pride and daring to desert it, to save his party, he not unreasonably thought a check to the enemy at first starting would dishearten and deter them from following him up, and there was every chance of success. Until then the Beloochees had never crossed bayonets with the sepoy, and had the utmost dread of them, and from what I have since heard, I firmly believe that had not the bugler been killed bringing up the ammunition and the sepoy with him had had any left, he would have beaten them off. Although 30 to 1, the Beloochees never attempted to charge him, until they saw that all the ammunition was expended.

† This fatiguing duty continued until the day we left the fort (September 28) and was submitted to by the sepoy, with the utmost cheerfulness.

20th, 30th, 31st.—Busy cleaning out tank, which had become most offensive, and also commenced digging deep trenches along the foot of the walls inside, planting sharp-pointed stakes in them: pulled down all houses touching the walls, to prevent the enemy landing, should they succeed in mounting the walls in over-whelming numbers. This gave them a drop-leap of 25 feet on to a body of stakes.

June 3rd.—Heard that the old chief Dadah had tried all in his power to prevent his tribe attacking Clarke's party, and that on their leaving for that purpose, exclaimed—"Ah! there you go, selling your country for 500 camels." The Belloochees are on the move in every direction but keeping at a respectful distance: I am prevented in consequence, from sending out foraging parties*.

4th.—Commenced digging a fresh well! the other wells containing very bad water, causing bad ulcers on the men. But finding water at all in the fort, was a most fortunate circumstance, as any party sent down to the river, would certainly have been cut up. Received an express from the political agent, intimating that I must not expect re-inforcements from Sukkur, but that a request had been made to Captain Bean at Quetta to obtain, if possible, the assistance of a tribe called Kahars, inhabiting the hills in the Bolan and deadly enemies of the Murrees.

7th, 8th, 9th.—Nothing new stirring, and working parties are employed strengthening an old inner fort, which, in case of our being hard pushed, will contain all the supplies, and 2 wells out of the 30. The Banyans employed in filling all the empty grain bags with sand, Lascars busy cutting good stout clubs for all the followers. I commenced bringing the latter on duty at night, as look-out-men, a fourth part of them being attached to each divisor. The enemy are getting more harassing daily, firing at every man who appears 200 yards from the walls. I finished new bastion on the opposite fort for a gun. We can now ply it from both sides, having a good road made from one bastion to the other.

16th.—Cossids came in this morning, bringing intelligence of the Murrees and Boogtees having agreed to stand by each other, and attack the fort on the approaching dark nights, with their whole force. I got the front of gate-way well palisaded; from this to the 25th nothing new, all working at the defences most cheerfully, and every man seeming to think that the safety of the whole depends on his individual bravery. Treat sepoys kindly, and I do not think they will ever fail at the push. Nearly 14 years of uninterrupted regimental duty I think, entitles me to give an opinion on this point, and that before formed, is now fully confirmed.

25th.—An old acquaintance of mine, Sheer Bheg Boogtee, who had acted as guide to us through these hills last year, paid me a visit. I had had the means of showing him some kindness. During the campaign he had been taken prisoner and plundered of many head of cattle; and I, having obtained his release and clothed him, he has followed me like a shadow ever since.

29th.—No appearance of any night attack, as reported, but this morning about 150 Belloochees came sweeping round the fort. Unfortunately 20 bullock drivers were out foraging, more than a mile across the river, contrary to my most positive orders. The consequence

* From this day I was obliged to keep all the cattle inside, allowing the camel men and others to pick up and bring in what forage they could, which was but little. The river which was only a mile off, was almost dry, and the banks were high enough to conceal 1,000 horsemen. It, therefore, became necessary to use the utmost caution, not being able to afford the loss of a single man.

was, they were cut off, and surrounded by the enemy, who commenced a regular slaughter. Fortunately Erskin managed to screw round the gun, and I threw out about 40 men in the direction, well flanked to 2 bastions. By these means we managed to save 10 out of the 20.

A shell from the gun sent the enemy to the right-about, and the party served as a rallying point for those who could manage to escape. One of the latter, who managed to conceal himself under a bush, heard our poor fellows beg for mercy; but Kurreem Khan, the chief, who was superintending the slaughter, kept crying out "Maro, Maro." This all took place in the bed of the river, and was not visible from the fort. He also says, he saw the shrapnell burst right in amongst them, knocking over 3, and dispersing the rest. I had an opportunity this morning of promoting 2 sepoy for bravery. They were out cutting forage near the fort, with some 8 or 10 camel-men, when about 20 Belloochees rode at speed at them. Instead of running for it, the 2 sepoy coolly stood still, and fired into their faces, wound ing one of them. This was quite sufficient for the Belloochees, who turned and fled. Had the sepoy retreated under the walls, the camel-men must have been cut up. This morning was full of adventures. We nearly lost the only sheep we had left. The Belloochees got between them, and the fort, but were too eager to cut up the camel-men, to see them. They would have been a sad loss to us, for not another could we get.

30th.—I let loose the old spy to-day, tired of keeping him any longer; besides we have neither guards nor food to waste on such kind of people. He is quite welcome to report to the enemy all he has seen, which is but little.

July 3d.—Sheer Beg again made his appearance agreeably to promise, bringing with him 15 sheep and goats, a most welcome supply, as we were almost reduced to the last goat. The sepoy not having tasted any meat for two months, highly enjoyed the treat. He tells us, that it is the Murrees' intention to attack the fort on the night of the 6th instant, when the moon goes down, with 50 scaling ladders; their Syud having persuaded them that our leaden bullets will not kill, in proof which he had a bullock placed 100 yards off and had 300 bullets (taken from Clarke's party) fired at it, without effect! This story frightened my naib (a Bellooch) so that he came to me with a most serious face, and begged that I would procure iron bullets for the two first rounds, and that then the Belloochees would run away! These Murrees seem to have a great name amongst the other tribes.

7th.—An express arrived from Captain Beanal Quetta, offering me assistance, and regretting the position in which I was placed. The same post also brought a letter from the political agent at Shikarpoor, to say, it was intended to act on the defensive until the season opens. 50 Belloochee horse-men kicked up a great dust this afternoon. Erskine emptied three of their saddles. They had been snugly hid all day in the river, ready to cut off any parties who ventured outside.

9th.—We are getting used to the Belloochees visits. Indeed, we are glad of any thing in the shape of excitement to change the monotonous life we are leading. Unfortunately we can not afford to expend much gun ammunition, we can therefore only take a shot occasionally, which is always a source of great amusement to all in the fort, particularly when it falls in amongst the Belloochees, who retaliate by heaping abuse on us, as they scamper off. Sheer Beg came again to-day, bringing a few chillies and sugar, for which he obtained enormous prices. No doubt he is a spy in a small way, but being the only face we see, save the cossids who are decided spies, he is too useful to quarrel with. He puts me in mind of the old beggar Edie in the Antiquary. Whenever he makes his appearance the word is passed from bastion to bastion, and all the fort turns out to meet him, being delighted to see him, not only for old acquaintance, but for the few trifles he always brings. The camels are now being

to break up for want of grain and forage. Ditto gun bullocks. Shot 5 of the former this evening, in consequence of their being in a dying state.

11th.—About 200 head of cattle going across the plain about a mile and a half off—most tempting but very suspicious, but the first we have seen. It is no doubt a trap, and plenty of horsemen are in the bed of the river, ready to cut in between the party and the fort, if we sallied out. The sepoys are mad to go after them. Perhaps they will a little come nearer by and by and give us an opportunity.

13th.—An express arrived from Lohree, with intelligence, that instead of the Kojucks and Kahars coming to our assistance, the former had joined the Murrees against us, and that the latter had attacked Captain Bean himself at Quetta on the 22d ultimo. They excuse themselves from attacking the Murrees until September; on account of the great heat! It is fortunate that we did not depend on these allies.

14th.—The men are suffering very severely from ulcers, upwards of 90 of all ranks being laid up with them, and several not able to put on their belts in consequence. Still they all manage to go to their posts at night, although several cannot stand sentry. The doobee-walas, camel-men and bullock-drivers now became useful, having gone through a kind of drill.

18th.—A tremendous storm of wind and rain came on, and lasted the whole night. I thought the old fort was going to be washed away. At day break, got all hands to work, to drain the fort, the water having lodged in every direction and threatening to undermine the walls. The tank filled, and country around completely flooded.

25th.—At 12 o'clock to-day about 200 horsemen came galloping round the fort at a quick pace. I thought at first they were going to assault the fort, but after a shell or two they retreated. They have now become very cunning, and instead of appearing in a large body as formerly, they sail along "Indian File," like a flock of wild ducks, and it is very seldom we can get a shot at them. In the afternoon they were seen cultivating the fields in all directions, quite an enlivening scene.

26th.—A horse was this morning found dead where Erskine's shell fell yesterday, so it is to be hoped there was some mischief done amongst the enemy—at the time there was so much dust that we could not see any distance. The Belloochees have now completely surrounded the fort, but little parties like pickets, appearing seated around in every direction. This looks bad for our communication; but as yet the tapaul has arrived pretty regularly once in 8 days, and has been a source of great amusement to us. Much fever is now prevailing amongst us; I am myself attacked, and Glasse is also very sick. The sepoys and followers are coming into hospital as many as 6 and 7 a day. The Belloochees are advancing closer and closer every day. Their matchlocks, I really believe, carry twice as far as our muskets. From this to the 6th August nothing new. The same daily routine of duty, with generally a "fall" of rain in every 12 hours. I am laid up with fever, and prevented writing.*

Aug. 6th.—The men still continue very sickly, 33 in hospital with fever. Glasse is very unwell, and unable to leave his bed. We are out of the most useful medicines, and

* We did not see another cosid until the 15th August, some 20 days, during which time we were perfectly ignorant of everything going on in the plains, and had no means of sending a tapaul, as not a man could be persuaded to leave the fort.

hot water is the order of the day, and found to be a very good substitute, being of a very purgative nature ; I made a kind of truce with a Murree chief called Hybutt Khan, who acknowledged himself the owner of most of the flocks grazing around, also of some of the land now being cultivated. He told us to look out for Lall Khan and some 150 of his people, a day or two hence.

7th.—The Beloochees are on the “qui vive,” and fired two shots at us, as we were walk in front of the gate-way. Hybutt Khan wants 40 rupees to take a taking our tapaul to Lehree. He is evidently a doubtful character, and thinks to take us in, and has refused to sell us one sheep.

8.—Had a slight skirmish this morning with Beloochees. When taking our walk, some Beloochees appeared about the nulla, evidently up to mischief. We enticed them out with a few men, when 50 or 60 of them immediately sprung up, and a little fire-firing commenced. I withdrew the party to allow Erskine to have a shot, which fell into the midst of them, whether with any damage or not, we know not, the jungle being so thick; however they immediately bolted at their best pace.*

9th.—The Beloochees are up to some mischief at the Nusfoosk pass, and are going up there in small bodies of 20 and 30, destroying the road up I suspect.

10th.—For the last 4 or 5 days the flocks had been coming closer and closer to the walls, eating up what little grass there was left. I had warned Hybutt Khan of this 3 or 4 times, and had also offered to purchase 100 at his own price, but he declared I should not have one. Erskine and myself had finished the last but one, of those we procured from old Sheer Bheg. We have both excellent appetites, although shut up in a fort. To-day 2 large flocks of sheep and goats came most temptingly near, and the sepoys earnestly entreated for some fresh meat. Watching our opportunity (no Beloochees being then in sight) we slipped out about 30 sepoys, flanking them with 2 bastions filled with men, and Erskine got the gun round to bear in the direction. There were only 3 Beloochees just then in charge. They immediately ran off for their lives, and the goats, by some instinct, and to our great annoyance, followed them at speed, like dogs. Two horsemen then came up, looking very fierce, but soon rode off on getting a shot. To describe the delight of all on getting this flock inside the fort is impossible. There was a perfect uproar. On counting our plunder we found we had secured 300 sheep† and 57 goats. Most of the latter were milch goats, so that the highest castes shared the enjoyment. We immediately made a division of the whole, charging 1 rupee on the head of each, for the benefit of the widows of those who fell on the 16th May. That evening the fort became one large cook-shop.

10th.—Hybutt Khan came to-day to try and recover his sheep, and told us that Nusseer Khan had driven all our detachments in to Sukkur. He also brought a note from Dodah, the

* I have since heard from one who was then in the Murree hills, that this was an intended attack on the fort, and that Lall Khan with 500 men was close by at the time, intending to rush into the gate-way after us, as we retreated in, but that hearing the gun which the Syud had agreed to render harmless for that morning, and seeing the effect of the 2 shells thrown by Erskine (15 Murrees were killed & wounded by them) they gave up the idea.

† These sheep were a great addition to the half rations: the latter alone being but poor food for men working all day and on guard every night.

Chief, desiring us to leave his fort forthwith, and that he and his army would escort us down to the plains! When Hybutt found he could not get back his sheep, being told that most of them were already killed, he flew into a great rage, and declared he would come and attack the fort, for which threat I told the sentry to give him a shot, when he quickly departed.

15th.—A *cossid*, to our great joy, came in this morning, after a lapse of 20 days. I could have hugged the old rascal, although I knew him to be the greatest of spies. A letter arrived by him from the Political Agent saying, it was contemplated to try and throw in supplies, through the agency of Jeyt Sing,* and Meer Hussain, to save moving the troops up with a convoy.

16th.—Another *cossid* this morning. The system mentioned yesterday of throwing in supplies is discarded, being found impracticable—and the welcome, most welcome intelligence of the following detachment leaving Sukker for our relief:

Detachment of H. M. 40th Regiment,	
1st Grenadiers,	4 Guns,
2nd ditto,	200 Horse,

under the command of Major Clibborn, 1st grenadiers. We received intimation that it was arranged between Hybutt Khan and the rest of the chiefs, that the former, in making a truce, should encourage us to go out foraging, and then cut us up.

17th.—Two Belloochees disarmed a sepoy most beautifully to-day. He was sitting down and had placed his musket and pouchbox a little on one side. The two Belloochees dashed up at speed, dismounted, picked up the musket, &c. before the sepoy could jump up, and went off, waving their booty in triumph. A sharp touch of an earthquake to-day.

18th.—A little skirmish with the Belloochees outside. We tried to draw them on towards the fort, but failed.

20th.—Six Belloochees made a dash around the fort on a plundering expedition and captured 3 Banyan's donkeys. The same animals have now been stolen and re-captured 3 different times.

21st.—Received a message from Dodah's brother, to take care of ourselves, as the whole body of them would assemble 10 days† hence and put us all to the sword.

24th.—Another *cossid* arrived to-day, bringing the welcome intelligence of the convoy being actually on their march up, with a reduced detachment—having left behind detachment 40th—all but the light company 2d grenadiers, and one gun. To describe the joy of all hands, on my immediately giving out this news, is impossible. Those only who have suffered a four month's imprisonment, with the addition of never lying down to sleep without a chance of having to turn out for an attack, can conceive it.

* Jeyt Sing is a Shikarpore merchant immensely rich, and has great sway with all the Belloochees around. Our loss is always his certain gain. He buys back our stolen camels for 15 or 20 rupees, and sells them again to our commissariat for 50 or 60 Rs! A positive fact. Meer Hussain, I am almost positive, was the cause of poor Clarke being attacked, and it is fully proved it was he who led Major Clibborn's watering party into the ambuscade. I hope he will yet meet with the punishment he deserves.

† This turned out but too true, so far as regards the assemblage of the whole tribe to a day, as on the 31st, exactly 10 days, the fight of Nuffousk took place.

28th.—Received the following amusing information from Hybutt Khan :—" About 2 months ago, their Syud, in whom they place great faith, having agreed to render our gun and muskets harmless, the whole of the tribe under Lall Khan* and Dulleel Khan assembled to attack the fort. In the mean time, they got information from one of our cosid spies, that we were at work from morning till night, and had built up 2 extra forts inside, and had also dug a well under the gate-way. Upon hearing this, the Syud had a most convenient dream, declared he would have nothing to do with the business, and strongly recommended no attack. On this the tribe immediately broke up". This agrees with the report mentioned on the 3d July. Hybutt also told us, that the Murrees are now† assembled to the number of 3000, behind the hill N. E. of the fort ; and that they intend to have 3 fights with the coming convoy, for the honor of their land—1st, at the pass of Nuffoosk,—2nd, where they now are,—and then, if beaten by us in both, to fall back on Meer Hadjee's fort of Barkon, where they will fight to the last.

29th.—Captured 2 bullocks, which we found a great treat, not having tasted beef for a long time. The convoy can now be only 2 marches off—cheering news!

31st.—A day of great and almost overpowering excitement. It commenced about 5 o'clock last evening, when the plain and hills became alive with Beloochees, and at dark, large signal fires on the tops of all the hills. At day-break, large parties of horse and foot were seen hurrying across the plain to the Nuffoosk pass, on the opposite side of which, we soon learnt of the arrival of our convoy, from the report of one of their guns, a signal agreed upon between us. About sun-rise, we saw collected on the very top of the pass about 2000 Beloochees, and others prowling about in all directions, the distance, as the crow flies, from the fort to the pass, is about 4 miles. In fact, we were completely behind the scenes, and saw all that the Beloochees were at, and fully expecting to see our comrades crown the top every hour—we were highly amused and excited—2 p. m. no sight of convoy coming over the pass—they must be repairing the road up. 3½ p. m. saw the shrapnell flying over the hill, and bursting in the midst of the enemy with the most beautiful effect. 5 p. m. still no sight of the convoy. Beloochees still crossing the plains towards the seat of action. Erskine scattered a small body of them with a shell. 8 p. m. heavy firing of guns and musketry for 10 minutes, when all was silent for the rest of the night. I should be very sorry to pass many days of my life like this. I would ten thousand times sooner have been in the thick of it : the excitement and suspense was beyond and thing I ever felt before. Knowing the difficulty of the pass, and not seeing our people crown the top, I felt certain there must be much bloodshed going on!

* An amusing anecdote is told of this chief. When assisting in getting one of the guns left by Major Clibborn, up the pass, it slipped back and smashed one of his limbs, which caused his death a fortnight after. When dying, he called some of his people around him, and warned them never to go near our guns, as " sleeping or waking they would always be their destruction." This chief was a grand limb lopped off the Murree tribe, being their greatest leader. He lost his only son in Clarke's fight.

† Altho' I did not place much credit on this information, thinking it a bit of bravado, yet I much wished to send it to Clibborn, but had no means.

‡ Between 2 and 3 o'clock the fight of Nuffoosk commenced.

§ I have since heard some surprise has been expressed that we could see and hear Clibborn's shells, and not rush out to his succour! had we done so the labor and perseverance of 4 months would have been thrown away in an hour, and the Beloochees would have gained the very object they had been trying for, without effect, since the day we entered the fort, namely, to entice us out; but the thing was out of the question. Between us and the pass were

Sept. 1st.—Not a single Beloochee to be seen on the top of the hill at day-light; but several passing across the plain in that direction. No sight or sound of the convoy all day! I am sadly perplexed to know what has become of them, and conclude that finding the pass too strongly defended yesterday, that they had fallen back to go round by the Deeyrah road, as I first recommended.

2d.—Beloochees in all directions, and busy as bees. Another day of suspense and excitement. After 11 o'clock they pitched one of our sepoy's tents about half way up the hill, up and down which batches of loaded and unloaded camels are going. I suppose the convoy must have dropped some of their baggage and stores in the hurry of their departure. About 12 o'clock much firing commenced and continued, with intervals, until 2 p. m. From the sound, it would appear the convoy had fallen back in the direction of the Deeyrah road, some 20 miles. Cannot now expect to see them for the next 6 or 7 days. How tantalizing, when they were so close. Not a drop of spirits, a cheroot or a cup of tea left; nor have we, indeed, tasted any for some time. The sepoys are very weak from short rations, then are only 6 bags of flour left. A bad look-out. Cannot help thinking of our having got our convoy over so snugly in May, when we had only a third of the number of the present convoy.

3rd.—Still in suspense. No communication from out-side, but all are on the look-out, particularly at night. Upwards of 100 loaded camels are going across the plain being some distance off. Whether these are horses or camels cannot be clearly ascertained without a glass. I persuaded the people in the fort that they were the former, although the sepoys made the shrewd remark, that they never saw horsemen look so large, or go along one after the other, so regularly. About 20 horsemen with 8 or 10 spare horses came down from the hill to water near the fort. This looks as if the owners of the latter had been killed.—2 bodies are carried across the plain on *charpoys*, with a kind of funeral party following them. I suppose they are two chiefs. At 3 p. m. saw a large body of Beloochees pitching a sort of camp within $1\frac{1}{2}$ mile of the fort. There is mistaking our sepoy's tents, also one officer's tent—5 of the former and 1 of the latter, exactly the number they took from Clarke's party. I trust they are those only, but appearances are very suspicious. Just as it was getting dark, we saw the whole body assembled in one dense mass, in front of their tents. I warned all hands to keep a bright look-out when the moon goes down.

4th.—To-day some horsemen came and informed us "that they had cut up our convoy, taken the guns, and all the stores and supplies, and had killed all the sahib-log, except 3, who were prisoners in their camp"—in proof of which assertion they offered to show the guns to any person I chose to send, who could also bring a chit from the prisoners.—This offer, however, I refused, firmly believing the report to be altogether untrue, and made with a view of getting hold of one of my people for information. They also said, that if I would leave the fort and go to the plains, they would not molest me. We had a very heavy fall of rain about 4 p. m.—More tents are springing up in the Murree camp. About 300 Beloochees are seated on a rising ground on one flank, and I have

4 miles of plain, $\frac{1}{4}$ of a mile, of the most dangerous ravines I ever passed through, a mountain a mile in extent, and last though not least, 2000 Beloochees! I might perhaps have mustered 100 bayonets, but must have left some 40 sick behind. But the best reason of all is, that it was not until the 7th September (8 days afterwards) when we first saw the guns in the enemy's hands, that we had the slightest idea of the disaster that had taken place. Up to that date we anxiously looked out to see the convoy coming round the Deeyrah road, thinking they had found the Nuffosk pass too difficult.

great amusement in watching their movements. Having a good glass, we could almost see into their very tents.

5th.—A person came under the fort calling out, wishing to give us the news; but we had already quite enough of these people's stories, so sent a bullet or two after him, to hurry his departure. All in the fort are sadly perplexed to know what to think of affairs. Belloochees are on the move in every direction—100 passed this morning in the Deeyra direction, the road from which we are expecting the convoy. The Belloochees do not seem in good spirits, not like men who have destroyed a large convoy—there has evidently been mischief some where. A storm occurred about 4 o'clock, which to our great delight, blew down all the Belloochee tents; they, however, soon had them up again.

6th.—No grain is left for camels or bullocks, and little or no forage—they must take their chance, poor creatures. Nothing is now left but a few bags of rice and 3 or 4 of flour 10 bags of the latter, which were thrown aside as being half sand, now came into use, and were greedily devoured by the sepoy. A camel-man shot himself, being detected in a theft.

7th.—I half expected, on taking a look at the Belloochee camp this morning, to find them all decamped; but a sad reverse met our sight—the three guns belonging to the convoy staring us in the face! They are placed on a piece of rising ground on one flank of their camp, their muzzles pointed towards the fort. What can have become of Major Clibborn and his convoy? Many officers and men must have lost their lives before they gave up the guns. There is no doubt now that something most disastrous must have occurred, and we must prepare for the worst. The sepoy keep up their spirits amazingly well, not the slightest sign of flinching being developed, although they seem to be aware, that their situation is rather perilous. Luckily they cannot see the guns with the naked eye, on account of the jungle. There are chances in our favor yet, that the guns will not be of much use to them. 1st, they may be spiked; 2ndly, they may have no ammunition; and lastly, they know not how to load or fire them. Luckily they are howitzers instead of field pieces; 10 A. M. All the Belloochees are assembled round the guns, and peeping into their muzzles, quite playthings to them.

8th.—Small parties of horsemen are prowling all round the fort; watching us, I suppose, knowing we must soon take to flight for want of provisions. They need not be in such a hurry, as we have still some rice and gun bullocks left.

9th.—Loaded camels are still going across the plain. 2 Belloochees are mounted on artillery horses. Then mistaking them from their size and their having blinkers on, which they were determined should not escape our sight, as they galloped up and down in front of the fort for an hour.

10th.—Our old friend Sheer Bhag came in this morning, but in such a suspicious manner, that I put him prisoner. He tells us the Belloochee's report of having destroyed our convoy is all true. He mentions poor Raitt and Moore as being two of the killed.

11th.—Made some horsemen, who were grazing their horses rather too close, scamper off, and received much abuse from them for my pains. The Murrees acknowledge to their having had 80 killed and 80 wounded in the fight. Our old acquaintance Hybutt Khan, and his son are, it is stated, are both killed, also Kurreen Khan, who superintended the slaughter on the 29th June.

12th.—I saw a very pleasing sight this morning; nothing more or less than the Murrees moving away the guns. They appear to be taking them to pieces and away. This looks very much like a bolt on their part. Perhaps they have got intelligence of another convoy coming up. The Bellochees are rather quiet, and allowed 2 camelmen to loote them of 3 mares out grazing. 160 killed and badly wounded, will make a hole in their tribe.

13th.—About 1 A. M. then were a great noise and many fires in the direction of the Murree camp. At day-light not a single tent to be seen, but loaded camels going off by dozens. The Murrees are all off, and our eyes are no longer made sore by the sight of the convoy's guns. Every one is delighted beyond measure—this is quite a reprieve.

14th.—Sent off Sheer Bhag with a message to Major Clibborn, to say we were all well in the fort. This is the first opportunity that has offered of sending any thing in the shape of a letter since the 26th ultimo. We captured 2 camels this morning with the C. D. mark fresh upon them, and there is no doubt from whence they came! I feel the want of a drop of spirits or a cup of tea most sadly, when keeping watch at night. Water (and such water too!) is but cold comfort.

17th.—About 12 o'clock last night a cossid arrived with an official letter from the Brigade Major, at Sukkur* informing us of the full particulars of Major Clibborn's disaster, and leaving me to my own resources, it being found impossible to send me any further relief. Well, this decides the matter at once. The number of sick, and the weakly state of the rest of the detachment, give little chance of escape by a night march, and I do not suppose the Murrees will agree to any terms I may offer. We put the best face we could on the matter, and on making a calculation, find we can last out until the 15th October on 4th rations, and the gun bullocks. We decided on holding out, unless we get honorable terms. Perhaps something will turn up in the mean time, and if it come to the worst, we must try and make our way down to the plains. Replied to the Brigade Major, but in conformity with my decision, did not allow the cossid to enter into the fort, knowing he would not have the most cheering news for the people inside. The sepoys are in excellent spirits, although well aware that there is some mischief in the wind. From this to the 22d instant, nothing extraordinary occurred.

23rd.—Sheer Bhag returned from the plains to-day, but without any reply to my letter, having had it taken from him. He tells me that "Dodah sent twice to him, immediately after the fight, knowing he had access to the fort, to say, he should be happy to make any terms with me, as long as I would leave his fort, and that he had sent 2 people to me but that I would not listen to them, firing upon and driving them away." The Bellooch who came on the 5th, and whom we treated so roughly, must have been one of these peaceable messengers! Well, this seems an opening for obtaining favourable terms, particularly as old Dodah has made the first advances; and knowing the impossibility of holding the post much longer for want of supplies, I opened a communication with the chief, Sheer Bhag and my naib being the bearers of the following proposal.

"Dodah Murree, I'll give you back your fort on conditions, that you give me personal security for my safe arrival in the plains. If not, I will remain here 2 months longer, having provisions for that time."

24th.—The deputation returned, informing me, that on receiving the communication, the whole of the chiefs had assembled together, and after some consideration, took a solemn

oath on the Korm, that if I would leave the fort in 3 days, they would protect me from all opposition down to the plains; ending by saying that, "whatever my wishes were, should be their law." 2 hours afterwards, a cossid brought a letter from Dodah himself, in answer to mine, containing an agreement on oath, to my proposal. He said, he would send his nephew to pay his respects to me, and to see the agreement conformed to by all his people.

25th.—I replied to Dodah's letter, to the effect, that I would give up the fort 3 days hence, on the above terms. I am surprized at their letting us off so easily, namely, simply to return to the plains without let or hindrance from his people, on condition of giving up the fort, which Dodah must well know we cannot hold a month longer. There is plenty of room to suspect treachery, but we must run the risk. This evening Guamaul Khan came near the fort, and sent a message to say, that he feared to venture inside; but that if I would meet him outside without my troops, he would ratify the agreement. Wishing at once to see whether it was to be "treachery, or no treachery," I agreed, and with Erskine and 4 native officers, met him about a mile from the fort. I never saw a man in such a fright in my life. Although he had 30 horsemen, armed to the teeth, and there were only 6 of us, he retreated twice before he would venture near us. He thought from our coming alone, there must be treachery; that some men were hidden somewhere; even after we had met, he had his horse all ready close by for a start. Down we all sat in a circle. A wild scene; his followers appeared to be exceedingly well armed and all fine stout-built men. After compliments, &c. the nephew began to talk very reasonably. He expressed a hope that "there would now be a lasting peace between his tribe and the British. That they had only fought at the Nufsook pass to save their country, and their lives. That it was the least they could do, when they had the fate of Bejahkhan staring them in the face. That they had never killed any of our people after the fight, and that all the prisoners had been fed, clothed, and set free." He concluded saying, that "he should remain near the fort until we left, to prevent any disturbances between his people and mine; and that he would furnish me with trustworthy guides down." There was not the slightest appearance of treachery. Thus ended this most interesting conference. It will not, I think, be easily forgotten by either Erskine or myself. So much depended on it, to ourselves and the whole of the whole of the detachment. We found those Bellooches the most civil and polite of men! The confidence placed in their word, by meeting them in the way we did, seemed to please them much, and from having been deadly enemies 5 long months, became in one hour the best of friends. No doubt their joy was just as great in getting rid of us, as our's was in obtaining our freedom.

26th & 27th.—We are most delightfully employed in preparing for a start. Only 10 public camels are left, and those as thin as rats: none are here procurable---the number of sick amounts to 40, and these require carriage. Then there are the rations, ammunition, both gun and musket, water and tents. In fact, I found I could not move without sacrificing all private property and half the ammunition and tents. I was obliged to call on officers and men to give up what private camels they had. This was most willingly agreed to; and all kit, even to our bedding, was left behind---the gun ammunition I was obliged to take, as I rather expected opposition from the Boogties, through whose country we had 40 miles to go. At first we were almost afraid we should not be able to bring down the gun from the wretched state of the bullocks, and weakness of the men. However we determined to try, and leaving the waggon and forage-cart behind, picked out 30 of the best for the gun alone. The sepoy thinking we were going to leave it behind, came and begged me not, as they themselves would drag it down, and defend it with their lives! When Erskine was burning the

forage-cart and waggon. The Belloochees outside thinking we were setting fire to the fort, sent to beg us to spare it.

28th.—We turned our backs on Kahun this morning at 2 o'clock. We had much trouble in getting off, in consequence of the number of sick, and were obliged to tie some of the poor fellows on the camels. We commenced the ascent of the big hill at 6, and after immense fatigue and labour got the gun to the top by 2 p. m. The sepoys were regularly over-powered with fatigue half way up. The call for water now was dreadful, all that I had brought with me in the müssucks being expended. About 9 o'clock about 300 Belloochees had assembled in our front, rear and right flank, perched on the tops of the hills. They seemed highly amused at our getting the gun up: but when they saw the sepoys completely done up with thirst and fatigue, they called out "ah! you will never get the gun down to the plains, you had better give it to old Dodah." I offered them money to show us some water, and they said they would for 1,000 Rupees! After some talk they agreed to show us some for 100 Rupees, which was immediately given them,—there was just enough to give each man a handful or so, and then they set to, and got the gun up. I really thought at one time we must have left it behind. At the very top of the pass were about 50 of Hybutt Khan's followers. These men swore we should not go any further, until we had paid for the flock of sheep we captured on the 13th August. However, when it came to the point, and seeing the gun to close to be pleasant, they thought better of it, and begged 100 rupees for Hybutt Khan's family, who they said, were very poor. It was as much as I could do to restrain myself from giving the party a round of grays. It's well I did not, perhaps, as it would most likely have embroiled me with the rest of the tribe, and the detachment was not in much of a fighting condition! It was 4 p. m. and we had still to descend the Nuffook pass to water, which our Murree guide reported was in abundance 3 miles from the bottom, in consequence of much rain having fallen. We commenced descending, when a spectacle, the most horrible to be conceived, met our sight—the bodies of all our poor fellows, both officers and men, who fell on the 31st August, lying* unburied, with all their clothes on! having been merely dragged off the road—Raitt's body was the first, being almost on the top of the pass. Through this dreadful scene, we had to lower our gun down the hill, inch by inch—I would have given worlds to have buried the poor fellows, but this was out of the question. We had then been 14 hours under arms, and had still to seek for water; besides which, we had no intrenching tools. The bodies were lying on heaps, which shows what a bitter fight it must have been. The Murrees spoke highly of poor Raitt's bravery in being at the head of all. They had buried all their own dead at the bottom of the hill, but although I offered them any money they chose to ask, they refused to bury our's, in consequence of the state of decomposition they were then in. After much labour, we got the gun down the hill and proceeded along the table land until 7 o'clock, when we found water in abundance, in a deep water course, on the bank of which we bivouaced for the night. Although the men had had no food all day, they all (save the pickets) immediately fell asleep, without tasting a bit. They had been 19 hours under arms, the bugle having been sounded at 12 o'clock last night. Had this water been found when the fight of the 31st took place, what a different tale would have been told!

29th.—Marched this morning to the top of the Surtoff mountain, 4 miles; descended the hill, lowering the gun down with drag ropes, and reached the bottom at 10 o'clock.

*Since writing this, I am happy to say, I have succeeded in getting all our comrades buried—their remains now lie in one large grave in the ground on which they fought so gallantly. Mundoo Khan, the nephew of Begah, accomplished this desired object for me, in which he was assisted by some of the Murrees engaged in the fight.

On examining one of the gun wheels, I found the iron work of the axle-tree box split in several places. From the appearance it seemed impossible to repair it, or that the gun would travel any further; but Erskine, by great exertions, got it bound up, and on we went again, starting at 2 p. m., but did not reach our ground until 10, having lost the road, and got jammed between rivines. I should have wished to have made only one march a day, in consequence of the weak state of the men, but there was no help for it; on we must go, night as well as day, having only 2 days provisions with us. Here no water was procurable. Luckily the sepoys were so done up, that they soon fell asleep, and did not complain at all about their thirst, received an express from the Assistant Political Agent, warning us to expect opposition from the Nagties, in whose country we are now, in not much of a fighting condition, half the men being on camels; but with the gun I think we have not much to fear from them.

30th.—Started at 5 A. M. and arrived at 10, at a beautiful stream of water. On this march I was obliged to throw away all the ammunition, save a few rounds of grape, otherwise I must have left 8 or 10 sick behind. Both men and camels regularly gave in during march, and how we got all safe up, I hardly know—Remaining with the rear-guard, I this cheered them on as well as I could, but one poor fellow died on the camel's back. Our Murree guide, who had behaved as yet very well, did an act of extraordinary kindness for a Belloochee. Hearing that one of our people was left behind for want of carriage to bring him on, he went back of his own accord, mounted him on his horse, and brought him into camp, walking himself by his side. From this ground, I sent off an express by our Murree guide, (the only man who would venture) to Pollojee, for some spare camels and gun-bullocks, and we proceeded on another 8 miles at 4 A. M., getting to some water about 10 o'clock.

October 1st.—Started at 3 A. M. and marched on 8 miles. Soon after our arrival, to our great delight, up came our Murree guide, with some Sinde horse, spare camels and gun bullocks. We proceeded on to Pollajee at 4 p. m., reaching that post at 12, distance 14 miles. On coming out of the hills into the plain, I fired off our howitzer, to give notice to our friends at Lehree, the head quarters of the 5th Regiment, of our safe arrival.

Thus, after a detention of 5 months in the fort of Kahun, was our escape from that position and the Murree hills, accomplished. The hardships and privations circumstances forced on us, were most cheerfully borne with by all. After the attack on Major Clibborn's party, it often appeared impossible to expect a release, yet not a murmur was heard. On no one occasion had I to find fault with the men, and the alacrity and cheerfulness with which they performed the exceedingly onerous duties which I was forced to exact, reflects, in my humble opinion, great credit on the Kahun (5th) Pultan and small detachment of Artillery. Of the constant aid afforded me on every occasion by Lieut. Erskine and Lieut. Glasse, I note nothing—it can never cease to be fresh in memory; and their rank is too near my own to admit of my saying all I could wish, or they deserve, even in this my private journal.

To CAPTAIN L. BROWN, *Commanding Kahun.*

SIR, —

Ere this letter reaches you, if it ever should reach, you will probably have heard the sad and disastrous misfortune that had befallen the detachment under the command of Major Clibborne, 1st Grenadier Regiment, which was despatched on the 31st ultimo, for the purpose of relieving your worn-out men, and throwing a new garrison into Kahun, with provisions for two months.—At the pass of Nuffosk, after some hours spent in desperate attempts to crown the heights, and after severe fighting until noon, after hours of patient perseverance against raging thirst, from the want of water, and the utmost efforts of men determined to carry out the object for which they were destined, and the loss of

four officers killed and one severely wounded, Major Clibborn, with the only chance of saving the remnant of his enfeebled troops, by falling back for water, was under the painful necessity of deciding on the abandonment of your brave detachment in Kahun. Under these circumstances I am directed, by Major Forbes, to state, that all attempts to relieve you have failed—there are neither troops, followers, or supplies or carriage for another expedition in your favor; and being under the painful necessity of leaving you, after having done all in his power, to your own resources, your post has become untenable, and he begs you to act in any way, either by a rapid night march, or if so fortunate, by making any terms you can possibly conclude with the enemy. He begs you to act for yourself in the best way you can possibly manage, and he fully authorizes any agreement or arrangement that may enable you to bring your detachment and your companies safely to the plains.

I have, &c.

CAMP, SUKKUR : }
7th September 1840. }

(Signed) J. Down,
Brigade Major.

Major General Brooks has the highest gratification in publishing to the troops composing the Field Army, the following extract of a letter from the Secretary to the Government of India, expressing the high approbation of the Right Honorable the Governor-General of India, of the gallantry, cheerfulness and prudence which characterized the proceedings of Captain Brown, 5th Regiment Native Infantry, in his late defence of Kahun, as well as the considerable support afforded him by his gallant Companions in Arms, Lieut. Erskine of the Artillery, Assistant Surgeon Glasse, and the Native Commissioned and Non-Commissioned officers and Privates of the Artillery and 5th Regiment Native Infantry, composing his garrison.

The Major General feels satisfied that every individual of the field Army will be delighted to find that the merits of these brave have been so honorably noticed by the highest authority in this country.

Extract Para. 2d of a letter No 1133, dated the 9th November 1840, received from T. H. Maddock, Esq., Secretary to the Government of India.

Para. No. 2.—In the mean time His Lordship in Council will not withhold his expression of his approbation of the eminent gallantry, cheerfulness, and prudence which characterized the proceedings of Captain Brown, in the critical situation in which he was placed, and of the admirable manner in which he appears to have been supported by those who were serving under him. He request you to communicate this opinion to the Major General Commanding in Upper Scinde, who will convey it accordingly to Captain Brown, and to the Officers and Men of his Detachment.

(Signed) W. KNYVETT, *Assistant Political Agent.*

TO CAPTAIN L. BROWN, 5th Regiment native Infantry:

SIR,

I am directed by the Commander-in-Chief, to assure you, that he has watched with deep interest your proceedings at Kahun.

The judgement, perseverance and skill you displayed in keeping possession of the post for so long a period, under circumstances of unusual trial and difficulty, in his Excellency's opinion, redound in every way to your reputation as an officer, and to the infinite credit of those serving under you.

The Commander in Chief, therefore, hastens, by the earliest means at his disposal, to mark the high sense he entertains of your high services on the occasion, to appoint you a Brigade Major on the establishment of the force now assembled in Scinde, vacant by the promotion of Major Boscawen, Her Majesty's 4th Regiment, an appointment which, however inadequate it may be considered as the result of your meritorious conduct, will, His Excellency hopes, be viewed by you as a testimony of his approbation.

I have, &c.

(Signed) J. W. MACMURDO, Capt., *Military Secretary. Head Quarters, Bombay.*
21st Nov, 1840.

NOTIFICATION SECRETARIAL DEPARTMENT.

Bombay Castle, 20th March, 1841

The Honorable the Governor in Council having recently had under his consideration a Narrative of the proceedings of a detachment of the strength named in the margin, under the command of Captain Lewis Brown, of the 5th Re-

140 Rank and File of the 5th Regiment Bombay Native Infantry, and one 12 pounder Howitzer, in charge of Lieut. D. Erskine of the Artillery. giment Native Infantry, in retaining possession, for a period of nearly five months, of the Fort of Kahun, in defiance of repeated attempts of the Enemy to dislodge them, has the highest gratification in publicly recording the high sense he entertains of the distinguished services of Captain Brown and the detachment under his command.—In maintaining this post, Captain Brown has reported to Government, that he was most ably seconded by Lieutenant D Erskine, of the artillery, and by Mr. Assistant Surgeon Glasco, who was in medical charge of the garrison.

Notwithstanding the critical position in which the garrison was placed, and the privations to which they were exposed, Captain Brown nobly refused to surrender the fort until the last extremity, and then only, after he had secured for himself and brave comrades, a safe retreat, with all the honors of war. The Governor in Council believes, that there are few instances on record, where, under circumstances of such great discouragement, a dangerous and harassing service, attended by severe privation, has been performed with greater cheerfulness, or with a more zealous devotion to the public service.

In order to testify his admiration of the gallantry, prudence, and perseverance which distinguished the conduct of Captain Brown in the defence of Kahun, and the fidelity and bravery of the officers and men under his command, the Governor in Council, with the sanction of the Right Hon'ble the Governor-General of India in Council, is pleased to direct.—

First.—That in consideration of the honor conferred on the 5th Regiment Native Infantry, by the conduct of the detachment of that corps, in the defence of Kahun, this regiment shall be permitted to have "Kahun" inscribed on their colors, and borne on their appointments.

Second.—That in consideration of the losses of the detachment, arising from want of carriage and other causes, a donation of six months Batta shall be granted to the survivors of the garrison of Kahun, and the heirs of those who fell in its defence.

Third.—That this order be read at the head of every regiment of the army of this presidency, at a special parade, to be held for this purpose.

The Hon'ble the Governor in Council will likewise have great satisfaction in bringing the distinguished services of Captain Brown, and the officers and men who composed the garrison of Kahun, to the favorable notice of the Honorable the Court of Directors.

By order of the Hon'ble the Governor in Council.

J. P. WILLOUGHBY

Secretary to Government.

With reference to the above notification, the Hon'ble the Governor in Council has much satisfaction in giving publicity to the preceding private journal, which has lately reached him, kept by Captain Brown, of the proceedings of himself and the detachment, under his command, from the 8th April to the 1st October 1840, embracing the period from his arrival at Poolajee, where he assumed charge of the detachment placed at his disposal, for the purpose of forming the garrison of Kahun, to that of his arrival in the plains, on the latter date, after his having, under circumstances so pecuniary honorable to himself and those under his orders, maintained possession of that fort, against the repeated endeavours of the enemy to dislodge him, until they had guaranteed him a safe conduct to the plains,

By order of the Hon'ble the Governor in Council,

J. P. WILLOUGHBY.

Bombay Castle, 10th April, 1841.

Secretary to Government.

[109]
IMAGINARY CONVERSATIONS.

DOST MAHOMMED AND LORD AUCKLAND.

(Coloquy the second.)

Scene—A ball-room in Government House.

DOST MAHOMMED.

So it is in this manner, that you celebrate the birth-day of your Sovereign.

AUCKLAND

Yes—this is our fashion

DOST MAHOMMED.

I have seen many strange sights, but of all strange sights this is the strangest.

AUCKLAND

It is new to the Afghan Chief

DOST MAHOMMED

Tell me only one thing—are these women in white garments, and with flowers in the hair, of the same caste as your lordship?

AUCKLAND

They are the wives and daughters of our officers, civil and military. There are others too of lower rank, for on such an evening as this, our doors are thrown wider open, than is common with us.

DOST MAHOMMED

They are dancing with great vigour. Do you give the poor things *nuzzure* for this

AUCKLAND, (smiling)

I give them only wine and ice

DOST MAHOMMED

Poor creatures!—and in this intolerable weather will they torment themselves thus for a little wine and ice?

AUCKLAND.

It seems so.

DOST MAHOMMED

Five saurs of ice, I hear, are to be purchased for one rupee. Of the price of wine I know nothing. Are the women of your country very fond of the forbidden liquor?

AUCKLAND.

They do not drink much.

DOST MAHOMMED.

And yet for a little wine and a little ice, they will leave their homes in the hottest weather, and go through labour, with their arms and legs, in the sight of a gazing multitude—they will go through all this, during long hours, for the hire of a common cooly. The English ruler does not treat the women of his country with much humanity.

AUCKLAND.

You do not understand our customs.

DOST MAHOMMED

Allah forbid! If these be your customs, I do not wish to understand them.

AUCKLAND

But you do us an injustice. The women of our country do not come here, because they are commanded, nor do they dance for hire. It is their pleasure, their enjoyment, their delight

DOST MAHOMMED

You are joking again now. I learnt from your funny Manifesto, that your Lordship is a mighty humorist—you seem to have a merry heart. But forgive me that I cannot credit that these delicate, pale-faced things can dance, on such a night as this, for their pleasure.

AUCKLAND.

As I live, 'tis the word of truth.

DOST MAHOMMED.

But why do not you hire people to dance for them? If in the levality of their hearts, they determine that there must be dancing in honor of their sovereign, would it not be kinder—more humane—more like the ruler of a great people, to hire nautch-girls to dance for them all?—And your officers, too—

AUCKLAND.

What of them?—

DOST MAHOMMED.

Are these dancers men, who have disgraced themselves?

AUCKLAND.

Disgraced themselves?—they are our bravest and best.

DOST MAHOMMED.

And yet you condemn them to this. You talk of our Eastern tyranny, and yet you punish your innocent people by making them dance in public.

AUCKLAND.

It is no punishment—

DOST MAHOMMED.

What!—no punishment!—to turn your warriors and councillors into dancers, and to say that you are not punishing them. Are they not all consumed with shame. I read it in their very faces—look at the down-cast eyes of that fine young soldier in the uniform of your gun-cavalry. He is blushing too—The canker of shame is eating deep into his heart. He feels his degraded position.

AUCKLAND (*smiling*.)

He looks as though he were making love.

DOST MAHOMMED

Making what?

AUCKLAND.

He looks like one, who has been pouring anorous protestations into the ears of the young girl, beside whom he is standing.

DOST MAHOMMED.

Oh! then they do not dance for nothing. By the Prophet, what are they doing now—bowing down, as Mussulmen bow at eventide, with their faces turned to the west.

AUCKLAND

The dance is over—they will soon begin again.....

DOST MAHOMMED.

Ah—ha!—a lively strain this—there will be brisk dancing now.

AUCKLAND.

A measure we call a waltz.

DOST MAHOMMED.

And do the officers of your country suffer their wives and daughters to be handled after this fashion? In our country there would be drawn swords and blood-shedding.

AUCKLAND.

Oh! yes—custom sanctions it.

DOST MAHOMMED.

Alla!—you have strange customs—if this be civilization, commend me to the Barbarians. I thought the women of England remained at home, and were useful in their own households, but I see young and old—maid and matron, whirling about the room at midnight, in the arms of stranger men, whilst their husbands and their fathers are standing by without a frown upon their brows. And all this, too, when the heat is intolerable to one who sits upon a couch.

AUCKLAND.

It will not appear so strange when you are more used to it.

DOST MAHOMMED:

I shall never be more used to it. But tell me, who are those, who are making so much noise—laughing boisterously, and talking loudly.

AUCKLAND.

Some of our Calcutta ladies—and their friends.

DOST MAHOMMED.

Some of the inferior class, whom you said lately you were obliged to admit on these great feast-days.

AUCKLAND.

Oh!—no—they are some of the leaders of Society in these parts.

DOST MAHOMMED.

And do the highest, in these parts, always make the moist noise. Is it a mark of rank, in your country, to be boisterous?

AUCKLAND (*indignantly*)

Not in my country. In my country the ladies of the land are quiet and subdued, they never make a noise. The highest are the most tranquil. In this barbarous colony you see the converse of this. But do not judge of England by what you see here.

DOST MAHOMMED.

You do not then admire your guests.

AUCKLAND.

No; I avoid them, when I can, by walking about with a little child—but do not say any thing of this.

DOST MAHOMMED.

I am weary of the scene already, and the people have stared their full.....Salaum—Alleikoum.....but tell me [*to Captain Nicolson, apart*] do the matrons of your country really dance, when they are on the eve of increasing their progeny? I saw something portentous of it.

CAPT. NICOLSON.

I fear that they do, sometimes.

DOST MAHOMMED.

Holy Prophet—what a place is this, into which I have wandered!—*Hark. May 25.*

MRS. NOBLE'S NARRATIVE OF HER CAPTIVITY AND SUFFERINGS IN PRISON IN CHINA IN 1840-41, IN A LETTER TO A FRIEND.

NINGPO PRISON, February 19th, 1841.

MY EVER DEAR FRIEND,—On Sunday the 14th I received your kind letter, containing the glad tidings of peace, and the joyful hope of a speedy release from prison; and in which you so sweetly and affectionately offer a home to the homeless. The almighty alone, who searcheth the heart, knows how deeply grateful I feel for all your abundant goodness towards me in my great afflictions; but, as my last letters were sent publicly, I could not express my feelings—I sincerely hope you have not thought me ungrateful. As I may now do so with safety, I will try to write to you the sad particulars of the dreadful wreck of the *Kite*, and of following events as far as memory and the few notes I have been able to make, from time to time, will enable me to do. May the Almighty in mercy strengthen me for the truly melancholy duty. Amen. And I feel sure, my dear friend, you will make due allowance for the state of mind in which I write.

I shall infer, that you know all our affairs up to, I think, the 10th of September, when the *Kite* was again on her way to Chusan. All went well till the 16th, and we then hoped to reach Chusan in two days. Alas! for earthly prospects, they are indeed fallacious. About 12 o'clock in the forenoon, the vessel struck on an awful *quicksand*, not laid down in the chart. The shock was as sudden as it was dreadful. All efforts at the moment were used but in vain, and in a few moments, almost before we could think or speak, or, alas! even have time to fetch my sweet child from the cabin, the vessel went over with a tremendous crash, on her broadside, and every creature on board (except my dear child) was precipitated with great violence into the sea. The moment was so dreadful I saw nothing, and, whether my beloved husband, who was giving orders till the last moment, ran to the cabin to save his darling child, or whether he fell with the rest, I know not; but, alas! he was never seen or heard of more. His last words to me "were hold on, Anne!" never, never shall I forget them. My sweet child must have perished in his cradle. I tremble to think of the sufferings of both. Oh! how often have I wished I had shared the same grave, yet the will of God was otherwise, and I know it is very wicked; but when you know my almost unparalleled sufferings, you will not wonder at it. To return to the wreck; after struggling under water for some time, I caught hold of one of the iron bars that held the boat on the quarter, to which I clung, my body being still in the water, and the breakers coming; over me with great force. A poor little dog saved itself on my breast for some time, but at last I was obliged to put it off. Oh! had it been my darling child, I would have died rather a thousand times. Lieut. Douglas arose close by me, and although for a time he could not help me, yet I shall ever remember with the deepest gratitude the kind manner in which he stood by me, doing all in his power to soothe me; and, by his orders, to save the lives of all. Oh! could I picture to you the scene at this moment,—the vessel on her broadside, her masts and sails in the water, numbers of persons rising and clinging to the wreck, the horror of every countenance, and the dreadful noise of the breakers—but it is too much even to tell you I saw it all—never, never shall I forget the sight. Lieut. Douglas with Mr. Witts, the chief officer, who now kindly came forward to my aid, did all in their power to save me, and they were by the blessing of God, the means of preserving my unhappy life. These two gentlemen, with the poor cabin boys, got into the boat. I had just strength to raise my foot, of which one of the gentlemen took hold, drew the boat to, and lifted me in. The boat being nearly full of water, and the breakers still coming over it every moment,

the gentlemen were obliged to cut the rope to prevent her sinking. The current immediately took her, and nothing could prevent her from leaving the wreck. The people had now got on the upper side of the vessel. I strained my eyes in vain to find those so dear to me. I saw all but them. I tore my hair in despair, and called till they could hear me no longer, telling them to seek my husband and child. Hour after hour the wreck was seen; at last we lost sight of it entirely. You will fancy me weeping and screaming all this time. I assure you, no: my trouble was too overwhelming; I could not shed a tear, although my heart was fit to break; I sat more like a statue, my eyes seeking in vain for the wreck. The boat's little kedge was thrown out, and the water rushing by was almost like a wall on either side of our boat. We saw many things washed from the wreck pass us. About 4 o'clock the current turned in our favour, and after some hours of anxiety we came in sight of the wreck. As we drew near, we found that the vessel had sunk in the sand and only her maintop was now in sight, to which all the poor sufferers clung for life. Efforts were made to reach the wreck, but it was impossible. Lieut. Douglas spoke to the men and told them to make a raft, hoping on the morrow to be able to render them some assistance. We now again left the wreck and night began to set in; the gentlemen lay down in the bottom of the boat, and I sat and kept watch by the stars. It was a beautiful moonlight night, but I need not say it appeared very long, and often did I speak to lieut. Douglas, who slept very little.

On the 16th we again passed the wreck early, and, as before, strove in vain to reach the poor crew. A few words were spoken, until we were carried away by the current. In the afternoon we passed the wreck for the last time: every thing possible was done to reach it, but to no purpose; and after speaking a few words, once more we had to endure the trial of being carried past. What our feelings were, none but those in a like situation can conceive. It was now again night, and, as before, I kept my melancholy watch. After this we could not find the wreck, and we were obliged to come to the dreadful conclusion, that all the crew must have perished or have been taken from the wreck by the Chinese. I now felt almost sure, that I was a widow, and all alone in the world; but yet I think I hoped even against hope, and lieut. Douglas, who was most kind to me, rather led me to believe such happiness possible. Oh! could I only tell you all the kindness I received from that dear gentleman. One remark he made, when I felt almost heart-broken, was, "depend on it, my dear Mrs. Noble, the Almighty has preserved you for a future and a better purpose." Thus did he at all times, in the most kind and soothing manner, try to cheer my truly sad heart. Picture for a moment our situation,---five of us in a small boat; with little clothing,—the gentlemen being but thinly clad, and myself in a thin morning gown, no bonnet, no shawl, and no shoes, the latter having been washed off—no water, no sail, only two oars and near an enemy's country. On this day, we went on board a fishing boat. The men were kind to us, and gave us a little dry rice, some water, and an old mat to try to make a sail of. Soon after, we thought we saw a small English sail: never shall I forget the excitement we felt; but after a long time, we found we were mistaken. Towards evening we picked up a small pumpkin, of which I took a little,—the first food I had taken since the wreck. Whilst we were thus driven about from place to place, again we thought we saw a steamer, and we did all in our power to make them observe us raising a signal of distress on one of our oars, and once more we were, as before, disappointed. On Wednesday night the breakers came over our little boat, with such violence, that we thought she would have sunk. They washed away one of our oars, and we were all wet through; but still the Almighty preserved us—glory be to his holy name! Lieut. Douglas and myself had a prayer together, in which we thanked God, for all his past mercies, and asked his future protection—we were very cold, but felt comforted. Thursday the 17th, we

boarded another boat, and asked them to take us to Chusan, which they promised to do, but to which the master of the party would not accede. However, they took us up to a canal and told us, that was the way. It now began to rain a little, and at night we found ourselves in a small creek, with a number of Chinamen around us. They appeared kind and brought us a little boiled rice. Wonderful to say, although we had been so long without food, not one in the boat complained of hunger, and of the rice now brought very little was eaten. The rain now fell fast, and we all laid down in the bottom of the boat, and laid the old mat over the top. About 12 o'clock I thought I heard footsteps, and on looking up saw about twenty Chinamen round our boat, carrying gay lanterns. I awoke lieutenant Douglas in alarm. However, they still appeared kind, and gave us more food. In the morning, it being very wet, we went barefooted to a Chinaman's house. After sitting a short time, they told us, that they would get us something to eat, and then take us to Chusan. We followed; they took us to a temple for shelter from the rain. One of the party now left us, and we began to suspect that all was not right, and set off to regain our boat. Alas! it was too late. We had scarcely ascended the bank, when, on looking behind, we saw a large party of soldiers, a mandarin and number of Chinese, pursuing us. We saw at once we were betrayed; flight was impossible, resistance as vain. I was leaning on lieutenant Douglas's arm; he stood boldly in my defence, but it was of no use, for they struck me several times. They then put chains around our necks, hurrying us along a path, not half a yard in breadth, to a large city, through every street of which they led us. The people thronged by thousands to stare, so that we could scarcely pass. Their savage cries were terrific. From this they led us to a temple full of soldiers, and one of the wretches stole my wedding ring from my finger, the only thing I treasured. Alas! that I was not to keep that one dear pledge of my husband's affection. They then set a table and wrote Chinese, asking whether we understood it. Never shall I forget that temple, their fierce grimaces, and savage threats. Hitherto Lieutenant Douglas had been my only friend, and I think I may say, that we have been a mutual comfort to one another throughout our sufferings. But we were soon to part. The soldiers bound lieutenant Douglas's hands behind him, and tied him to a post, and in this situation I was forced from him. We took an affectionate leave of one another, as friends never expecting to meet again, until we met in heaven. He gave me his black silk handkerchief to tie round my waist, which I shall ever treasure as a remembrance of that truly sad moment. We anticipated instant death in its most cruel form, and I think I could say, surely the bitterness of death is past. I now felt, indeed, alone. Mr. Witts, one of the boys, and myself were now again dragged through the rain, and my feet being bare, slipped at every step, and they were at last obliged to bring me a pair of straw sandals. I was obliged to hang to the coat of a tall man, who held me by the chain. We must have looked wretched in the extreme, our clothes being much covered with dirt as well as drenched with rain. My hair hung dishevelled round my neck. In this state we must have walked at least 20 miles, and passed through numberless cities, all the inhabitants of which crowded around us, and their hooting and savage yells were frightful. We twice passed through water nearly up to our waist. After having reached a temple, we were allowed to rest ourselves on some stones. They gave us here some prison clothes and food. At night they laid down some mats and a quilt, on either side of a large temple. Mr. Witts and the boy took one side, and after a short prayer to my Almighty heavenly father, I lay down but not to sleep; the chain round our necks being fastened to the wall. Would that I could describe to you the scene;—the temple beautifully lighted up with lanterns, our miserable beds and more miserable selves, all the dark faces of the frightful looking Chinese (of whom I think there were eight), the smoke from their long pipes; the din of the gong and other noises, which they kept up all night, were indeed

horrid. Long, very long did this night appear. Morning at last dawned, and the keepers brought us a little water to wash with, which was a great comfort; after which they led us to an open court, to be exposed to the public gaze of numberless spectators to come throughout the day. Here they took our height, the length of our hair, and noted every feature in an exact manner, and then made us write an account of the wreck of the Kite. In the evening I was taken to see the mandarin's wife and daughters, but although my appearance must have been wretched in the extreme, they did not evince the least feeling towards me, but rather treated me as an object of scorn. This I felt the more as I was enabled to make them understand, that I had lost both my dear husband and child in the wreck. We remained here two days and three nights, derided and taunted by all around us. On the morning of Monday the 21st, they took the end of our chains, and bade us follow them. They put our coats and quilts into small cages, just such as we should think a proper place to confine a wild beast in; mine was scarcely a yard high a little more than $\frac{1}{2}$ of a yard long, and a little more than half a yard broad. The door opened from the top. Into these we were lifted, the chain round our necks being locked to the cover, to put a long piece of bamboo through the middle, a man took either end, and in this manner we were jolted from city to city to suffer insults from the rabble, the cries of whom were awful; but my God had not forsaken me, and even then, although a widow and in the hands of such bitter enemies, and expecting death at every moment, I could remember with delight, that Christ my Saviour had said—"I am the resurrection and the life, he that believeth in me, though he were dead yet shall he live;" and through the blessing of the Almighty, I was enabled to sing praises to God aloud. I need not tell you, my dear and much loved friend, how much I thought of my sweet and once happy home, and my dear fatherless child, and how fervently I prayed to that God of mercy and goodness, who had so wonderfully upheld me in all my sufferings, to bless her also. Death was nothing to me: I longed to be with my Saviour to praise him for ever, and to meet again my affectionate husband and sweet child, who were more than life to me. Oh, my dear friend, how often do my feelings at this and many other times of my suffering shame me, when I feel myself cold in my duty towards my Redeemer. In body I was now very weak, having scarcely eaten any thing since the wreck, but my spirit was strong in the Lord. We again stopped at another city and were taken out of our cages, having heavy irons put on our legs, with a chain half a yard long. Mr. Witts and the boy had also irons on their wrists, but although I saw mine, they did not put them on at that time. The former were carried on board one boat, and I myself put into another, and thus we proceeded two days and three nights on a canal, during which time I did not taste any food, as they would not permit me to get out of my little cage on any account. You may judge what my sufferings were. I believe it was Wednesday the 23d. that we arrived at Ningpo. You may imagine my happiness in finding my dear friend, lieut Douglas, and my delight to hear that he had been treated rather better than myself, and had arrived here a short time before. I also heard with gratitude and joy, that all the Kite's crew had been taken from the wreck by the Chinese and were prisoners in the city. But alas, alas! with all this good news my worst fears were confirmed, that all I treasured lay buried in the ocean. What can I say,—my dear child could not have lived in an open boat and suffered as I had done; and my devoted husband, being of a warm and most affectionate temper, would not, could not have lived to have seen me suffer as I have suffered; and how would it have torn my heart to have seen those ten thousand times dearer to me than my own life, endure so much! I humbly pray to be enabled to say, "thy will be done!" God has, I believe, in his goodness and mercy, taken my treasures, who was able to do for them more than I could even ask or think. And although I am left destitute and alone, and far from home, yet in his mercy he has raised you up, my truly Christian friend, with many

many others, for my comfort, on account of which I shall praise the Saviour, both in time and eternity ; and want whatever I may, may I ever possess a thankful heart.

At Ningpo I was sorry to find another prisoner, Capt. Anstruther, of the Madras artillery, who has since proved to me a most kind and true friend, there was also the compradore, whom I think you have some knowledge of. My most cruel sufferings were now at an end, and of course I felt more deeply my sad loss ; yet I knew that I still enjoyed many blessings. Captain A.'s prison was next door to mine, and I had the pleasure of seeing him often. The mandarins gave me some Chinese clothes of the gayest colors. Distressing as it was to my feelings, I was obliged to wear them, and I was put into, what the keeper styled, a clean prison with a woman to attend on me in my captivity. After breakfasting with Lieut Douglas at the mandarin's, I went to my lonely cell,—a small dirty room, two sides of which were a mere grating,—in many places day-light appeared through the rafters, and it was scarcely fit to live in, its only furniture being my cage (in which I still slept at night, and into which I was put whenever I went to any of the mandarin's;) a lamp, an old table, and a stool. For the first time after the wreck, I was enabled to undress myself and arrange my hair. I could not but rejoice when a large room was prepared for the three gentlemen to reside together in,—lieut. Douglas having been hitherto obliged to endure all the discomforts of the common prison,—although it deprived me of the company of my friend. Subsequently we met only when we visited and dined at the mandarin's, which we did at first frequently, but after their curiosity was satisfied I seldom saw them. When at their house, they amused themselves by questioning us about h. b. majesty and her government, the number of her navy and army, and the rank and income of the officers. Often I had to repeat my sad tale, particularly on the arrival of other officers. This I thought a great trial, especially when alone. Their inquiries about our respective families, were most minute ; particularly what relatives we were to queen Victoria, and whether I myself was not her sister, which, notwithstanding what was said to the contrary, I was declared to be. But it would be endless to repeat all the foolish questions they asked. However, they made notes of all our replies. Captain A. was generally employed drawing, and I am sure his great talent as well as the patience he exhibited, often ensured us kindness. I dwell with gratification on those bright shades of my then dreary life. It was always with deep regret, that I saw the arrival of my little cage. I had the pleasure of receiving from the gentlemen's prison a note almost daily. The compradore lived near me, and shewed me many and great acts of kindness.

Two days after the removal of the gentlemen from the common prison, all the remaining captives were taken to a far distant jail, under the pretence of better accommodations, excepting two who were sick. I had the melancholy satisfaction of seeing them passing my door, but was not allowed to speak to them, and it made my heart bleed to observe their distressed looks and haggared countenances.

It was on October the 8th that Captain Anstruther received some supplies from Chusan, with letters that held out hopes to us of release. He kindly sent me a large share of his clothes.

The compradore was now taken away from us, which distressed me greatly, as I had now not a creature to whom to speak. They now gave me a bedstead, which I found a great luxury, having hitherto lain on a dirty floor. I was sometimes allowed to see and converse with the sick prisoners, and I almost felt a consolation in dwelling upon the dreadful past. Frequently my heart was sadly torn, on account of different reports about my late dearly beloved husband and child. I was once told, that he was seen going to his cabin to rescue his child, and was afterwards seen dead with the baby on his bosom. Many were the sleepless nights that such accounts gave me, but I found subsequently,—when meeting all

the prisoners at the Mandarin's and minutely examining into the fact, that this rumour was unfounded, for they had never seen the Captain after the ship had healed over.

On the 8th of October I was far from well; two days afterwards I suffered much from violent pain, and was not able to lie down during the whole night, on account of the pain. This I felt deeply, not being able to speak to a creature and being threatened to have irons put on my wrists,---they had taken them off only one night, on account of my being so ill. On the 9th I was only too glad to see the compradore return, who had been sent to Chinlai in order to ascertain, whether the British delegate was really Capt. Elliot, and, if this was not the case, the individual who dared to appear under an assumed name was to be taken.

On the 14th, they sent another woman to wait on me, with a little cross boy about four years old, who cried the whole day long. This I felt a great trial, as I could not have a moment to myself, and, what distressed me most, my communion with God was interrupted. The other old woman brought also her girl, so that there were now four dirty creatures in my dirty hovel. This was scarcely endurable, but, after many entreaties and the lapse of a considerable time, both the children were removed. On Sunday the 18th, I heard the melancholy tidings of one of our sailors being removed by the hand of death. I had seen the poor boy several times, and, as I felt sure he could never recover, the few moments we were allowed to speak, were spent in dwelling upon solemn subjects. Though he was a mere skeleton and weak as a child, still he wore his irons to the last. A day or two before his death, he told me he knew that he would never be well again; but his mind was calm, and I fervently hope that the Saviour was present with him. As we parted for the last time, he said with much earnestness "God bless you, Mistress,"---these words I still remember, they have been fulfilled and God has remembered me. The two sick marines were much distressed at the death of the poor boy, and I was delighted to afford them some comfort, temporal as well as spiritual.

On the 26th, we were all summoned by the superior Mandarins. I felt much grieved on my way, being entirely alone, little thinking what joy was in store for me. Clothes and letters had arrived from Chusan, clothes in abundance for myself and also for my dear boy, which I had not the least reason to expect, but for which, as I subsequently heard, I was indebted to poor Mrs. Proudfoot. The sight of clothes, intended for my dear lost one, was overwhelming. May the Almighty reward the kind donor and, by his gracious and merciful providence, Ever protect her from requiring such a comfort, as she bestowed upon me. Among the above, I received a very kind note, with an acceptable present of shoes, from my friend Captain Baily. The gentlemen received large supplies of clothes, wine, ale, and other articles, with 300 dollars from Admiral Elliot; and all the prisoners had clothes given to them. All the Englishmen, except the two sick, were present and to our great satisfaction our fetters were struck off. We were also informed, that we should be free within five or six days for a certainty. Gladness then pervaded every breast, but, as usual, mine was mixed with bitter grief,---to think how short a time since a happy wife and a joyful mother, and that I must now return desolate and alone. However, I could but be thankful to be freed from my fetters, having worn them, as I imagine aright, for thirty days; and on our way home,---if our wretched prisons deserve such a name,---our hearts were much lighter and we began to put confidence in the glad tidings. Little did I then think, that we should be obliged still to drag on four long months of our existence in the dreary abode. I now worked very diligently to provide myself with comfortable clothing, which I was soon enabled to do. On the arrival of letters, &c., I was usually the first person sent for by the Mandarins, to make

known their contents. The gentlemen supplied me liberally with money, to provide myself with mourning and other necessities, as also with comforts for the sick.

About the first of November, it was reported publicly that I should be sent to Chusan alone, and that the gentlemen would be sent to Canton. On the strength of this account, they wrote letters to their friends, which I was to have taken; but, like the many rumours we had before heard, this also proved groundless. Sometime afterwards the two marines, already mentioned, were removed to the other prison. I felt sure that one of them was then dying, and I greatly feared that he would never reach the prison. His weakness was so excessive that he once fell down on his way, though supported by a Chinaman—after a few days, the news of his death was brought to me. Notwithstanding all the representations of Lieutenant Douglas, the irons were not taken off this poor man, until he breathed his last. The prison was so excessively small that they could not turn round, without squeezing each other, and though their commander remonstrated and insisted upon their being allowed to walk about and enjoy the fresh air, they were never permitted to take any exercise in the court. I frequently wrote a few lines to the lads, for whom I felt most 'deeply,' as well as for the crew in general. Lieut. Douglas was now able to provide them with money, and once only, during the four months' imprisonment, was he permitted to visit his men; for, on seeing the deep interest he took in their welfare, and his great anxiety to better their condition, they never permitted him to see them any more. I was delighted to observe the noble feelings, evinced by Lieut. Douglas toward the crew of the *Kite*, who suffered great hardships.

Our joy was inexpressible, when a channel of private communication with our friends at Chusan was opened, and when I received from you, my dear friend, the first letter. (Dec. 29th,) which afforded me very great consolation. Before this we heard, of the death of another marine, which affected us all deeply, and especially his master. Death has made sad havock amongst us and the Almighty alone knows the reason why he afflicted us, and I fervently hope that these many solemn warnings may be sanctified to us.

January the 9th, I had again the unspeakable happiness of receiving two letters from you, from one of which I learnt our then contemplated rescue, which at that time gave me great uneasiness, as I trembled at the idea of any of my dear countrymen running the risk of such sufferings, as I myself had undergone.

Your first letter was accompanied by a copy of the holy Bible, an inestimable treasure, for which I had so long and earnestly prayed; but, to avoid discovery, I had to read it during the night, so that it was in truth a secret treasure and henceforth my constant companion. It is wonderful how often we heard of our speedy release and were as often disappointed, still for the time being our spirits were kept up by these good news. On Tuesday the 2d of February, I heard that the gentlemen had been summoned by the Mandarines to receive clothes and letters, and with an anxious heart I watched the whole afternoon, expecting every moment a visit from them. However, I was obliged to continue in suspense till the next day, when I was called to appear before the Mandarins to obtain another most affectionate letter from you, my dear friend, with an abundant store of clothes, and every comfort I could desire. Grateful and thankful as I felt for them, my spirits became deeply affected, inferring as I did, that so many things would not have been sent, if my captivity was not to be prolonged; yet the linguist cheered me by the assurance, that I should be free within three weeks or a month. At this

time they treated me with great kindness, and I went to see the Mandarin's lady, who gave me some fruit and artificial flowers, the first mark of kindness I had received from a lady. They allowed me to remain until the evening, and I was once more gladdened in meeting my dear countrymen, and, after staying some time, we all went to my prison to write answers to our letters.

February the 8th, I had the pleasure of a visit from some Chinese naval officers, who told me, that we were to leave Ningpo within a fortnight. We thought there was truth in the news, but we were not certain until the 14th, when I received the glad tidings from yourself. It would be impossible to describe, what our feelings were on that occasion. I had thought that the Gentlemen had known it the day before, so that our meeting at the first moment, was not so joyful as it otherwise would have been, but they had no sooner read my letter, than our mutual congratulations were warm and most sincere, and I again had the happiness of welcoming them to my poor prison, where we wrote answers to our friends. Nothing was now spoken of, but the surety of our speedy relief: as for myself I could scarcely believe it, till I was on my way to Tinghae.

On the 22d February, before I arose, my attendant came to my bedstead, saying, "Chinhae, Chusan, get up!" and immediately the compradore called to me, saying that we were indeed to go to Chinhae. Alas! poor fellow, he little thought that he was not to form one of the party. I am sure you will believe me, when I tell you, that I knew not which thing to do first. Numbers of people came round my prison, and I was obliged to shut the door or keep them out. After my morning devotions, with the compradore's aid, I got all my boxes packed. While thus engaged, he was sent for by the Mandarins, who told him, that he was not like the other English prisoners, they would therefore not allow him to accompany them, but send him down to Canton. This threw an immediate gloom over my spirits, and I felt deeply when, a few minutes afterwards, I saw him looked up in his prison,—as he had long been my friend in adversity. I now with difficulty got through the crowd to the Gentlemen's prison, where I received a hearty welcome and the warmest congratulations, and was forbidden to speak of past troubles. Captain Anstruther now insisted upon seeing the compradore to give him money, and, after many entreaties made to the Mandarin, whom he had greatly offended by withholding a picture for some unkindness shewn, he at last succeeded in beating his way through the crowd. We walked a great while in the prison yard until, by dint of perseverance and much pushing among the immense crowd, we got into our palanqueens. We had a guard to escort us, and, having crossed the river in our conveyances, I looked back and was astounded at the dense mass of spectators. Mandarins of every grade were in attendance. Indeed the excitement at Ningpo was indescribable. Our road to Chinhae led principally along the river side, and our travelling was anything but comfortable, the pass being so bad, that I feared our palanqueen bearers would slip. When near Chinhae, one of my bearers tumbled, and the palanqueen thumped on the ground. I struck my head, but the alarm was more than the injury. I thought my troubles would not be at an end, until I reached Chinhae: On the road we met several emissaries urging on the bearers to use all speed, to the mutual gratification of both parties. At last we arrived safely at Chinhae, where we were received with due honor by the Mandarins. We had not breakfasted, and, when the gentlemen asked for food, a filthy fellow came in with an apron-full of cakes. Afterwards they brought us each a bason of meat. Captain Anstruther was now taken to see Commissioner E and, after remaining a little while, he returned telling us, that we should soon be sent for to hear the same story told him,—namely, that we should not have come to China if the Admiral had not sent us, and that we must now return and tell the commanding officer, he must get the ships away with

all speed, and, with his compliments say, that a great many soldiers were waiting to enter Chusan as soon as the English evacuated it ; but, at the same time, he entreated us to labour under no apprehension, as they had no hostile intentions. At first it was concluded, that Lieut. Douglas was to accompany me to Chusan, while Captain Anstruther should remain and see all the men embark ; but, when we were with E, Lieutenant Douglas told him, that Captain Anstruther had nothing to do with the people, and begged that he might be allowed to remain with the crew, and that Captain Anstruther might accompany me. It was at length determined that both the gentlemen should stay behind and only Mr. Witts accompany me. I made every enquiry for my only bonnet and other things, which the Mandarins had previously sent for to inspect, but in vain, as the officer kept them and would not restore the same. Soon after, I took leave of the gentlemen and re-entered my palanqueen, which conveyed me to the waterside, where the linguist presented me with a fan. On the Mandarin's premises I had the pleasure of meeting all my fellow-prisoners, which relieved my mind, as I was not before aware that they had come down from Ningpo, and had not seen them for several months. I spoke a few words to them as my sedan passed. On our way we were taken to the soldiers' tent. It being a late hour and quite dark, I could see but little of them, but they appeared to be numerous and occupied a very large space. Every attention was now shewn me ; they carried me close to the boatside, and fixed a chair in the sampan for my comfort. The Mandarin who accompanied me, showed me every attention. For some hours our boat lay at anchor, to enable the other prisoners to embark, and during the night proceeded on her way to Chusan. About seven o'clock in the morning of the 26th, I was once more gladdened by the sight of an English vessel. Soon after, we were boarded by two naval officers, and Mr. Johnson was the first to welcome me to freedom. In a short space of time we saw several other vessels, which lay at the outer anchorage—a few moments more, and the whole fleet was before us. I thought I saw as great a change in Chusan as in myself ; the tents were no longer on the hills, and to me, at least, all things looked strange ; but, perhaps, the alteration was in me alone. As the boat drew near, Captain Bouchier, of the Blonde, sent his gig to convey me on board, and glad indeed was I to step into it, and thus quit for ever a people, at whose hands I had received such bitter wrongs. When safely arrived on the deck of the Blonde, I received the warmest congratulations of Captain Bouchier and the many friends to whom I was then introduced. What my feelings were at that moment none but one so long in captivity can conceive. Every one seemed to participate in my enjoyment, and each countenance wore the smile of heartfelt sympathy. I once more sat down to a comfortable breakfast, but my joy was too exquisite to allow me to partake of it. I remained on board the Blonde, until the arrival of my fellow prisoners, whom I was most anxious to see once more. Lieutenant Douglas and Captain Anstruther soon joined us, and it heightened my pleasure greatly to see those I so much esteemed, restored to their usual comforts and warm friends. Ere long, the European part of the crew came safely on board. I was much distressed at seeing their wasted frames and pale countenances, yet it was a cheering certainty that every kindness would now be shown them. It is to be hoped that, by the blessing of God, they will soon regain their wonted strength, and, I trust, the sad lesson they so dearly learned, will never be erased from their memories. Being most anxious to see you, my dear friend, and Dr. Lookhart being in waiting to accompany me, I lost no time in hastening to the ship *Blundell*, where you had so carefully provided for my comfort. My dear friend, Lieut. Douglas, did not leave me, until I was safely on board ; and no sooner had I reached the deck, than I received the loud and hearty cheers of the whole crew, which not being anticipated, was completely overwhelming, combined as it was to the cordial welcome of Captain Trail and his officers. To describe our meeting would be needless,—it is

too indelibly engraven on the heart of each, ever to be forgotten; but I would now conclude with a sincere, solemn, and heartfelt ascription of praise and thanks to the Almighty Father, the gracious Saviour, and the all sustaining Spirit, who has so truly fulfilled his promise---“ I will not leave thee, nor forsake thee.”—*Hark. April 24.*

ANNE NOBLE.

THE HILL TRIBES—THE NAGAS.

We have occasionally called the attention of our readers to the condition of the hill tribes of this country, as a highly interesting field for Mission labor. The primitive habits of the people, the general salubrity of the spots they inhabit, the absence of caste and idolatry, their frankness and readiness to receive instruction, together with their hospitality and proximity, render them objects well worth the attention of the Church.

The tribes on the North Eastern frontier are especially worthy of attention at this moment. The opening up of the tea cultivation and the settlement of Europeans will doubtless tend to the discovery of the hidden treasures of these mountains and valleys, and hence the importance of Missionary enterprise preceding or at least accompanying these mercantile adventurers. We have much pleasure in presenting our readers with extracts from a Journal of the Rev. Mr. Bronson, of the American Baptist Mission, containing an account of his visit to the Nagas, a tribe in the mountains adjacent to Jaipur, the present Assam capital or settlement, in connexion with the tea plantations. We are confident the account will be read with interest. The Naga country abounds with salt and iron.

TOUR TO THE NAM SANG NAGA MOUNTAINS.

Mr. Bronson, whose station is at Jaipur, having penetrated south-easterly into this before unexplored mountainous country, about lat. 27 15 north, and long. 95 40' east, gives some interesting information concerning the country, the character, and the mode of life of the people whom he found there. Both the people and the lofty mountain ranges among which they live seem to be called by the common appellation of Nam Sang Naga.

January 9th, 1839. Rose early, and sent a man forward to inform the Naga chief of our approach. Our road led through the most interesting and varied scenery I have beheld in this country. We were at one time passing through the narrowest defiles of steep and rugged mountains, and at another gazing into some deep valley that lay at our feet. Yet along this very height lay our only path, not exceeding six inches in width, whence one false step would have precipitated us upon the craggy cliffs far below. At another point rose several beautiful peaks of mountains of moderate height; and further on, the mountain-tops were lost in the clouds, but covered as far as the eye could reach, with richest verdure. Many times, as I passed along, I involuntarily exclaimed, “How manifold are thy works, O Lord of Hosts!”

At one o'clock we reached one of the salt springs, worked by the Nagas. The water was drawn from deep wells, by a bucket of leaves, and poured into large wooden troughs near by, for the purpose of boiling. Their mode of boiling is rude, and to one who had not seen it, would appear to be perfectly impracticable. They build a long arch of stone and clay. On the top single joints of bamboos, cut thin, and spread open like a boat, are

placed closely together. These hold from two to three quarts each. These boats are kept full of the brine, and a large fire kept blazing under them, without injury to the bamboo. On this arch I counted sixty boats, which they said would give, when boiled, about twenty or twenty-five boats of salt for the market. Thus their ingenuity has made them quite independent of the expensive furniture required at our own salt-works. One man to attend the arch, one to bring the brine, and four to gather wood, are all that is necessary to complete the establishment.

Pursuing our course, we came to a very steep and rugged mountain, and as the sun was pouring down his meridian rays upon us, my feeble strength, on gaining the summit, was quite exhausted. We here passed several dangerous precipices, but soon had the pleasure of seeing the rude houses which the Nagas have prepared for our reception. They stood near the *halk* (salt market,) at which was a large collection of traders. A gentle ascent on every side formed a splendid amphitheatre of the valley. Here we were met by two of the chief's sons, and a numerous train of his warriors, who bade me welcome—expressed their pleasure that I had come, and declared the country mine, and themselves my subjects. In return I assured them of my best wishes and good intentions; and although no white man had ever before ventured among them, that I felt the greatest confidence in them, as my brethren and friend. We then proceeded to the rude huts they had prepared for my use during my stay among them, and which, upon enquiry, I was sorry to find, were at quite a distance from their villages. They doubtless wish to be better assured of the object of my visit, before they admit me to their villages: although the alleged reason was, that there was no water on their mountains, and that this would subject me to great inconvenience. They have hitherto allowed no one to know much of the interior of their country.

I spent the most of the day with these people, conversing particularly upon my object in coming among them. I lost no time in telling them, that the great God who created them, had made it the duty of his creatures to love and pity each other: that I was a teacher of his holy law, of which they were entirely ignorant; and that I had heard of them in my native land, and had come across the great waters to give them books in their own language, that they might read the law of God, and become a wise and good people. Their great fear was that I was a servant of the Company. Being wearv, I dismissed them, requesting that the chief and his attendants would meet me the next day, as I had important words to speak to them. They promised to do so, and very courteously left me.

INTERVIEW WITH THE CHIEFS—VISIT TO THE NAGA-VILLAGE.—10th About 11 o'clock the kingly train made their appearance, rushing like so many wild beasts from the tops of the highest peaks, and having their heads and ears ornamented with shells, precious stones, and many fanciful representations of the battle. They halted a few rods from my house, and stuck spears into the ground together, where they left them during their visit. They then came in a very respectful manner, and seated themselves before me, on mats that they had brought for the purpose.

Having now before me all the influential persons among the people, I entered again into a familiar explanation of my object in visiting them. I told them that there were many good people across the great waters, who had compassion on them, and had sent me up into their mountains, were no white man had ever before been, to teach them how to love God and go to heaven when they died. Boro Kumbou, through my interpreter, renewed the objections urged yesterday. They feared that I was a servant of the Company, come to spy out their roads, sources of wealth, number of slaves, amount of population and means

of defence, and the best method of taking the country. Others feared that I might live peaceably among them for a time, and afterwards get power and influence, and make them all my people. It was in vain that I told them of another country, beside the English, across the great waters. They replied, "Is not your color, your dress, your language, the same; and what person would come so far merely to give us books and teach us religion?" Some of the more enlightened, and I was happy to find, influential among them, began arguing in my favor.

The object of my visit having been pretty thoroughly explained, I called upon the chief to state in the presence of his people, whether he thought education would be advantageous or disadvantageous to them: also whether he would give me his approbation and assistance in learning their language and teaching them. He promptly replied, that "if the people learned to read in their own language, it would be well; but the Nagas were like birds and monkeys, lighting on this mountain, and stopping on that, and therefore no white man could live among them to teach them; that as soon as their boys were old enough, they put into their hands the *da* (hatchet) and spear, and taught them how to fight and to make salt, besides which they knew nothing,—and how could they learn books?"

11th Rose early, having slept but little from anxiety about my future path of duty. Unless I can secure the confidence of the people sufficiently to live familiarly among them, I cannot expect to benefit them. Nor would it be wise for me to presume upon the kindness or integrity of a rude tribe of mountaineers, many of whom never saw a white face. I endeavoured to commend my way to God, and seek his direction.

Being pretty well satisfied that it was fear merely, that made them hesitate to receive me at their village, I despatched my interpreter with a small present to Bura Kumbou, who I understood was favorably inclined to me, saying that I felt much disappointment and chagrin in not finding my houses built near him and his people; that I had come a great way to see them, to hear their language, to give them good words, and to teach them God's law; and that I wished to come up into their village, and live among them as brothers and friends. He soon returned, saying that there was great fear in the village at my coming—that they considered me a divinity—that if I remained where I was, it would be very well; but it was the order of Bura Kumbou, that if I wished, I might come up into their village. This was all I wished. Without his approbation I should not have felt safe in going. I immediately made arrangements for going the next morning.

12th. An early breakfast, and we set out for the Nagu village on the top of the mountain. It had rained for twenty-four hours previous; and the path was steep and slippery. After winding our way over several hills for two hours, we reached a fine open space commanding a most lovely prospect of hill and valley and winding streams. Several hamlets could be distinctly seen at once, and the report of a gun from this place was the signal for collecting their respective inhabitants. Here, hidden from all the civilized world, this people roam among the beauties of nature, and behold the grandeur of the works of God. From this place I found a wide and well-prepared road, pursuing which for two hours, we reached the village. The houses are numerous, large, and generally raised from the ground. The whole village is embowered by trees of the richest evergreen, and the walks are adorned by various beautiful shrubbery among which I saw oranges, lemons, a great variety of citrons, and the blackberry. The cool fragrant air, as it breathed briskly through the thick foliage, made me forget all the fatigues of the journey, and every breath I inhaled imparted to my languid frame new vigor.

I was kindly received at the village, and directed to a large comfortable house which they had prepared for my reception, and where several chiefs were assembled to meet me. My wants were immediately inquired into, a fire was made, one of their springs of water was given up to our company, eggs, milk and potatoes brought in abundance, and a small cook house put up, in so short a time that I had no occasion to order any thing. Such was the generous hospitality of these wild mountaineers.

But this was no sooner done, than a long council was held concerning me, (no less than six similar consultations have been held concerning me and the objects of my visit:) and the whole day has been spent in answering their objections. They were inquisitive about the great countries across the waters, and quite incredulous at my description of a passage to this country.

*Objects of his Mission approved—Funeral Rites—Condition of Females—*Having unfolded the object of his visit to the chief man of the tribe, and secured his approbation and assistance, Mr. Bronson proceeds—

Spent the day in correcting the Catechism in Noga. Had a large Company around me, who had never heard the Ten Commandments before. They eagerly inquired where such words came from. They may well be surprised, for they never were acquainted with any system aside from those of the superstitious brahmin and Hindu. I never before realized how directly the commandments aim at the complete destruction of heathenism. When I entered upon the explanation of the first and second commandments, forbidding the worship of idols in every form, they exclaimed, "*good, good.*" The Nogas do not worship idols, but make offerings to evil spirits, of which they have a most superstitious fear. The like scene was acted over when I came to the eighth command, prohibiting theft. This crime is considered by them a capital offence, and punished accordingly. The dis-allowing of adultery was heard with a sneer. How truly has the apostle described the heathen in the first chapter of Romans.

After we had gone through the commandments, I entered into a fuller explanation of them, dwelling particularly upon the folly of idol worship; and I believe I never before was able to make myself so well understood on religious subjects, since I have been in the country. I find them extremely ignorant. They have no priests, no houses of worship, and no favorite creed. The brahmins have tried to rivet the fetters of their superstition upon them, but almost in vain. If they will receive books and allow their children to be gathered in schools and instructed in the Christian religion, the brahmins will be able to do very little, and the gospel will work its way into the very midst of their country. A successful beginning here, will open the door to twenty-one other dependent villages near at hand, where the same dialect is spoken.

18th. Early this morning Bura Kumbou sent for my interpreter, and inquired if I was in want of provisions. By his attention I am supplied with many necessaries. I receive the kind feeling manifested by this people as a favorable indication from the hand of God, and an encouragement to go forward.

This has been a great day among the Nogas. It was the completion of the sixth month after the death of a wife of one of their chiefs. Their custom is to allow the corpse to remain six months in the house; at the expiration of which time the ceremonies I have this day witnessed must be performed. In the morning two large buffaloes, several hogs, and a great number of fowls were killed for the occasion. A kind of intoxicating drink called modh, which I am sorry to say they have learned to distil in large quantities, from rice, was drunk. About noon, numbers of Nogas from the neighbouring villages, dressed in a most fanciful manner and equipped for battle, arrived. After beating several gongs of different sizes, so arranged as to form a sort of harmony, with the music of drums, they marched to the house where the decaying corpse lay, each man bearing a shield a spear and

ed. They then commenced singing and dancing, with such a regularity of step and voice as perfectly surprised me. They sang in the Aboi tongue, and my interpreter informed me all their songs are borrowed from the Abors, with whom they hold daily intercourse. I was allowed to attend, in company with two of the chiefs, who interpreted to me the song, the substance of which is as follows:

"What divinity has taken away our friend? Who are you? Where do you live? in heaven or on the earth, or under the earth? Who are you? Show yourself! If we had known of your coming we should have appeared you." The above was first pronounced by the chorister. The whole company then answered it by exclaiming, "Yes," at the same time waving their huge glittering spears towards heaven, in defiance of the evil spirit who was supposed to have occasioned the death. The chorister continued—"We would have cut you in pieces and eaten your flesh." "Yes," responded the warriors, brandishing their dars, as if impatient for the battle. "If you had apprised us of your coming, and asked our permission, we would have revered you, but you have secretly taken one of us, and now we will curse you."

"Yes," responded the warriors. This is the substance of what they sang, though varied, and repeated many times. ◆

25th. The noise of music and dancing continued nearly all the night. During the greater part of this day, the ceremonies of yesterday were repeated. At the setting of the sun a large company of young women came round the corpse, and completely covered it with leaves and flowers, after which it was carried to a small hill adjacent and burned amid the festivities of the people. Thus closed this painful scene.

Considerable respect appears to be paid to the female sex. In this particular there is a striking contrast between the Nogas and the Assamese whose women are the most idle, worthless set of beings I ever saw. On the contrary, the Noga women are proverbial for their industrious and laborious habits. This remarkable difference in favor of the Noga women, is doubtless to be imputed to the anarchical state of the country, or rather to the number of independent chiefs, who formerly, for the slightest offence, were disposed to wage war, and the worst of all wars, that which is covert and unsuspected. This made it necessary for the men to be always ready for an assault, and hence the custom that the women should cultivate the fields—the men prepare for and fight in battle.

26th. Took my interpreter and his Catechism, which I had just completed in Noga, and called on Bura Kumbou. He received me kindly, and after passing the usual civilities of the country, I entered in to familiar conversation upon religion. I asked, "Do you not sometimes think about dying, and enquire where you will go, and what will become of you?" He replied, "I know that I shall go and meet my ancestors in heaven." "How do you know?" I asked. "By dreams," said he. "In my sleep it has been often told me." "If you could read that great book, which God has given as a guide to all men, if you believed it and obeyed it you would be very happy at the thought of dying, and I have come up into your mountains for no other purpose than to teach it to your people." As he appeared to be interested, and rather astonished at such ideas, (which doubtless were new to him,) I drew from my pocket the Catechism and read it through, often asking him if he understood it. He replied "Yes," and said that God gave these words, for they were all true and great as God. I then told him that I expected to go in a few days to Sadiya, to print this and other Noga books, that he and his people might no longer be destitute of the means of becoming a wise and good people; and that when I returned to visit them, I should bring them Noga books about which his people would have no mind to learn to read them. He replied that it was his wish to have his people learn to read them.—*Cal. Advocate.*

THE PADANG INSURRECTION:

(To the Editor of the Singapore Free Press.)

DEAR SIR, —I have now already more than once had the honor to figure in your columns, and very many times in those of the *Bengal Hurkaru*, but always under different designations—and the cognomen I now assume is not mal apropos to the subject of this communication, and presuming, therefore, upon the privilege of an old acquaintance, I again claim a corner in your valuable and very interesting Journal to make my appearance again before the Public, under such good auspices as that afforded by your fostering care and great publicity.

As it is no doubt very probable (for I speak with uncertainty) that ere now some quaint and garbled account, furnished by some misinformed Batavia correspondent, has appeared in your paper, respecting the late unfortunate revolt and massacre in our "Interior," which by misconstruction is liable to militate against the measures of our Government, I consider it my duty as a citizen of the place, and a subject of the said Government, to represent matters in their true and legitimate colours, and throw as much light on the subject as my humble abilities will suffer me to do—and being pretty well acquainted with all our possessions in the interior, by four years residence and personal experience. I should presume I am somewhat qualified to pronounce an opinion both of the place and the characteristics of its inhabitants. I do this the more readily, since what subsequently occurred to prevent the farther extension of the cruelties in question, redounds much to the credit, honor, and military fame of our chief civil and military authority, Colonel Michaels, Governor of Sumatra's West Coast, to whose prompt, manly, and heroic exertions we are indebted not only for the safety of this place but that of our lives and property. Having passed this deserved encomium on him whom I may with truth designate the Hero of Battopos, and the Saviour of the Dutch Possessions in Sumatra, I shall now proceed to enter into a detail of those particulars, which being strictly founded on facts, will serve (as I hope) to elucidate the affair which is to form the burden of my epistle.

On or about the 1st of March, the startling and melancholy tidings, or rather a rumour, reached us that a disturbance or Insurrection had taken place among the Malays at Padang Panjan, and Goooomullintang—places that may be considered in our vicinity, being not above eight hours ride from this—and being at first considered a matter of no great magnitude or importance, and hardly within the verge of credibility, owing to the dubious nature of the information conveyed to us—no very immediate or peremptory measures were taken to suppress the revolt. The accounts however which came down the following day

were pregnant with lamentable statements of the cruel and cold-blooded massacre of the following civil and military servants of Government (as also those of a great many Chinese and Chuliah) viz; Lieutenants KEPPEL and MEYER, Captain ABELHEMP, Mr. TUAMSKI, Mr. PETER BOND and family, and the better part of the Garrison in the benting or Fort at Googoomullintang. It was further reported that the Insurrection had assumed a very general and awful form, and that the insurgents (the natives of Batipoo headed by their chief the Regent) had proceeded to Fort de Rock (four hours ride further) and burnt the whole settlement, including the princely dwellings of Resident STEMMETZ, Assistant Resident Capt. HALBACK, Lieutenant Colonel NAHDIS, and Mr. VAN RYN, Secretary to the Resident, and that they were then laying siege to the Fort, to which all the Europeans, Chinese, and Kling inhabitants have resorted for shelter and protection. Matters having assumed so serious and belligerent an appearance, there was no time to be lost for taken such steps as would speedily check this growing revolt and butchery. And here let me observe that it would have done your or any man's heart good to have witnessed the zeal, the promptitude, the immediate and active, and no less praiseworthy efforts of our brave governor, exerted for the preservation of the place—efforts that cannot be spoken of in sufficiently high terms, but their result is their best eulogium, and speaks volumes in this truly good man's favor. It is not essential to my subject to enter into a minute detail of particulars, suffice it to say, that within the short space of 18 hours from the time the sad and frightful tidings reached us—an efficient force headed by the Governor himself was seen on their march to the scene of battle. The first encounter of the hostile parties occurred in the highest mountain pass here, denominated the Cloof. About 500 men and only four field pieces were brought into action, and tended most effectually to route the Insurgents whose number could certainly not have consisted of less than three thousand—about one-third of which were well-equipped with fire-arms, &c. of European manufacture, and carrying besides two ten pounders given on a former occasion by the Government to the old Regent—the rest of his people were armed with matchlocks, spears, and clewangs. On regaining possession of Padang Panjang, the following morning the Governor directed an attack on Batipoo Ariel, and with such signal success that in a few hours the whole place was completely destroyed both by fire and sword, and a great many of their chiefs—Punghooloos and Doobalens—were made to feel the force of retributive justice. During the storming of Batipoo, the Tuanko Regent contrived to escape with a few followers to a volcanic mountain called by the Malay Marra Appie, alias “King of Fire”—however a price having been on his head, and fearing some treachery on the part of his own comrades, he surrendered himself on condition that his life should be spared—terms to which the Governor more readily conformed, as much from charitable feelings as from reluctance to shorten a life that according to the course of nature had not many more years to run. But before I have done with the Batipoos, it may be as well to state a few words respecting the instigator of all this mischief and bloodshed. The Regent whom I have already more than once noticed, has been for the last twenty years a

staunch and apparently faithful friend and ally of the Dutch, and had assisted them materially in subduing as many other chiefs as the Government went to war with, and in the affair with Tuanko IMAUM of Boonjal, he (the Regent) rendered great assistance with his help troops, and himself played an active part in that four years Tragic Drama—but as he at the same time never failed on such occasions to appropriate to himself the lion's share of the spoils, it may be reasonably supposed that cupidity and inherent love of plunder rather than grateful friendship for the Government have induced him to form so powerful and useful an ally. The Government had so much benefitted before by the assistance of this Tuanko, that it placed implicit faith on his allegiance, and as a further token of its condescension awarded him a monthly salary of 500 Guldens, and decorated him with a gold chain and medal—the latter blazoning forth his good qualities, but more especially his fidelity or good faith,—and as if these favors were not sufficient rewards for his merits it presented him with two beautiful Field Pieces and one thousand fire-locks—but unfortunately in bestowing all these tangible marks of its approbation and favor, it “reckoned without his host.” The very arms that the Government furnished has been turned against it and made the instruments of its own destruction. I state these facts because several intelligent and otherwise well disposed persons, by being hurried away by erroneous notions of liberality, have drawn obvious comparisons between the Regent in question and the quondam chief of Boonjal alias Tuanko IMAUM, much to the disparagement of the deposed warrior. That there exist no parallel or corresponding feature between them is self-evident to those who have dived into their respective characters, motives, and actions. One was a hero, a warrior, and independent chief, fighting for the freedom of his country, his home, and his altars; and who even in his reverse of fortune displayed that native and inherent pride of feeling belonging to his rank and station as to conduct himself with becoming dignity in his trial of vicissitudes. The other (the principal subject of my letter) has proved himself to be a traitor, an assassin, and (as the sequel has shewn) a Coward. I cannot take leave of this part of my subject without relating an anecdote of singular and individual courage, drawn even from despair, which sheds honor and glory on the memory of a brave man. To seek as it were “that bubble Reputation even at the cannon's mouth” is a feat that may be performed even by on humble individual in these degenerate times.

When the encampment at Gogoomullintang was surprised and set on fire at break of day, the two officers and handful of soldiers that it contained, betook themselves to an adjacent Redoubt, without having had time to take any provisions along with them. Though totally unprovided with any of the necessities of life, they still contrived to stand out a four day's close siege, which the little stronghold maintained; but famine having taken part with the enemy to accomplish the destruction of this small knot of resolute men, who had all this while managed to subsist on the roots of grass and the carcase of a sickly dog, killed for the purpose—they were at length compelled (on the 5th night) to abandon the place, and make a stealthy escape under favor of the darkness of the

night. All parties happily succeeded, with the exception of one of the Lieutenants and an European Gunsmith or Armourer. The former, though he succeeded in getting out of the Redoubt, or rather was carried out of it by his comrade, being exceedingly unwell and weak at the time, was afterwards left to expire in the jungles at his own request, all parties being quite overcome with fatigue and starvation. But the armourer, who was disabled at the very commencement of the attack, by having one of his legs shot off, and who thus found it a matter of impossibility to make his escape, unless with the aid and assistance of his brother soldiers, whom he felt no wish to encumber with his huge person in their then state of exhaustion—bravely and resolutely determined to remain where he was, that he might at heart have gratification of destroying even a small portion of his enemies, by firing the Magazine on their gaining possession of the interior of the Redoubt. What he resolved he certainly did perform—and the result was that five and thirty followers of the Regent were blown into the air when the explosion took place. Thus died a brave man, who on the verge of eternity took ample revenge on some of his besiegers !

I have yet a great deal to tell you respecting what occurred at Port de Kock, Fort Vander Capellan, and Padang Riboo Riboo ; as also what took place in Padang itself, but want of leisure prevents my lengthening this communication and which I at the same time fear is already sufficiently long. I will, therefore, with your leave and that of your readers, reserve the remainder of my story for another letter—in which, as I purpose to sum up the matter with my own opinions and reflections on what led to this unfortunate catastrophe, and in reference to which you will no doubt receive many false and crude statements from your friends in Batavia, I feel particularly anxious that my next should reach you without loss of time. In the mean while, apologizing to you and your readers for the many errors of words and diction which were almost unavoidable from the little time afforded me for writing it, and promising to “ walk more or stilts” in my next,

I remain,

Your obedient Servant,

A DENIZEN OF PADANG,

Padang, 7th April, 1830.

Singapore Free Press, April 29.]

DEAR SIR,—Since my last of the 7th instant, I have had neither leisure nor opportunity until now of addressing you in continuation, on the subject of the late disturbance here; and even at this present moment I have barely time to add but a few lines respecting the same. I believe I broke off at the burning of Batterspo, and the brave act of an European Gunsmith in the little Redoubt at Googoomullintang. It therefore now remains to state what subsequently

occurred at three other stations in the interior, and the measures that were adopted by the Authorities here, for the protection of this place itself. A portion of the Insurgents, after destroying as many lives and as much property as they possibly could at Padang Panjang and Googoomulintang, proceeded in a formidable body to Bookoo Lingee or as it is now called Fort de Kock, and forthwith made their presence known by setting fire to the splendid dwellings of Mr. Resident STEINMETZ, Mr. assistant Resident HALBACK, Mr. Secretary VAN REYN, Lieut Colonel NAHUIS, Capt KLARING, LieutAdjutant BIERMAND, Mr. NYS,—and other private gentlemen, including two very large shops kept by Europeans. With the exception of the Resident, who happened to be at that time at Priaman, all these gentlemen resorted to the fort for protection, without having time, however, to save any of the archives of Government or their own personal properties. No attack was attempted to be made on the fort by the rebels, since the same being situated on a Hill, and being, moreover, well fortified and possessing a deep moat, high bastions and a drawbridge, it was no doubt considered quite impregnable by the natives who—considering how indifferently they were armed for such an undertaking—no doubt felt themselves unqualified for the attempt. However, that did not prevent them from laying siege to it for three days, for the purpose of cutting off the supplies necessary for the garrison and refugees in question. On the fourth day the Colonel with fifty European and Javanese soldiers made a sortie—to which they were in some measure induced by the ranks of the enemy having been somewhat thinned in consequence of a report having reached them that governor MICHAELS (whose name alone is a “tower of strength,” and more effectual than the services of a whole Battalion of Soldiers) was treading up fast on their heels with a very efficient force from Padang. It, however, still happened that this small force out of the fort, found their encounter with the natives no “mere matter of moonshine,” and had the governor with his two hundred men not arrived very opportunely to render them assistance by attacking the insurgents from an opposite direction.—Colonel NAHUIS and his handful of soldiers, or rather only the remaining portion of them, would not now be living to wear their laurels. The gentlemen that formed the governor’s staff as it were, and commanded the Regiments on the occasion—and who played a very able and active part in the affair were Capt. VANDER HAART, Capt. BERNARD, Capt. VAN SOMERE BRAANS, Lieut. BERG,—a few others whose names I cannot just now recollect.

At the more distant station of Padang Reeboo Re eboo, not far from the beautiful Lake of Simkara, the whole encampment was set on fire by the insurgents.] The troops and others resorting to the Fort at Marapaney (not far off from the scene of conflagration) for self defence. This little Beating was most ably defended by Major VAN SWITE his officers and men, assisted by a lot of Javanese, Chinese, and Choolias, who also sought protection within its ramparts; for a very formidable attack was made upon it by the enemy, who besides a quantity of fire-arms had two cannons in their train. It was, however, not yielded; and when a part of the rebels had dispersed themselves from the panic oc-

casioned among them on hearing of the governor's approach—the Major in command of the garrison in question sallied forth with about sixty soldiers, and effectually put to flight those that remained behind to continue the attack—and pursued them several miles—committing great slaughter, and finally recovering the two guns which the Insurgents had brought away with them from Googoomalintang.

It is now my painful duty to record that at the Station of Batoo Sankurin Tanna Data, both the civil and military authorities (according to rumour which perhaps after a time may be incorrect) deserted the place and their respective posts before the enemy “have in sight.”—leaving the Fort (Vander Capellan) their guns, ammunitions, provisions, and eighty thousand rupees of Government money behind, to the use and abuse of their loss. I do not mention the names of the parties out of feelings of delicacy—for it is not yet known what share of culpability is to be attached to their conduct, —the result of this affair will perhaps be made known hereafter. If it should eventually prove true, let us, like the “recording angel” by TEENE, drop a tear and blot out its recollection for ever.

Perhaps it would have been more prudent on my part to have suppressed this portion of my narrative, as its publicity might hereafter subject me to the displeasure and animadversion of such in authority as feel to great squeamishness respecting the conduct of their servants; but as I have strictly adhered to facts, which can be at all times corroborated, and which, whether soon or late, must be made manifest to all—and, moreover, as I have treated the subject with as much delicacy as it would admit of; I hope that after all I have run no great hazard of being blamed or censured for my impartiality, for it is better that the truth should be known through a direct channel than that any misrepresentation of it by an indirect or Batavia correspondent should tend to mislead you and your numerous readers regarding this awkward affair.

I regret exceedingly that circumstances once more compel me to break off the thread of my narration—therefore, what relates to our doings in Padang, the conclusions to be drawn from the whole of this business, and the tracing of the Insurrection to its legitimate source—including a distinct statement of the causes which lead to it—must necessarily form the subject of a third (and last) communication—which said communication I hope soon to be able to forward to you via Batavia. In the mean time I remain, dear Sir,

Your most obedient Servant.

A DENIZEN OF PADANG.

Padang 25th April, 1841. [Singapore Free Press, June 3.

A TRIP TO MATURA.

Name—Antiquities—Customs and manners—Religion—Animals, birds, fish, insects, serpents—Face of the country, soil, agriculture—Commerce, Coral stones, &c.—Climate—Monsoons.

There are but few things worthy the observation of the traveller from the town of Colombo up to the extensive Cinnamon gardens of Morottoo. Leaving Galle-face, and passing through Colpetty, Wellawatte, Mount Lavinia, Pandura, Caltura, Bentotte and, Galle, amidst the Cocoa grove-and-bread-fruit trees which surround every village, hamlet, and dwelling-house, we come to Matura, a beautiful and healthy, but a scantily peopled district. At the distance of four miles from Matura is Dondera Head, or, as it is generally called Dehundere.

1. Dondera Head, the Southern Cape of Ceylon, like many other places in this island, is known by several names. The English call the Dondera-Head or Cape De-wandere. Dehundere (the island's end) is the name by which this place is known amongst the natives. In the Nampotte, which is the only spelling book extant among the Singhalese, it is called *Devi-nuwere* (the Godly city) either from the circumstance of its having once been the seat of Kaluna Datussa's government; prince to all intents and purposes (who reigned about A. D. 648) but one to whom divine perfections are attributed by the natives, or from the existence of a beautiful temple dedicated to Derol God.

2. The most remarkable of the antiquities still extant at Dondera Head, is a beautiful temple of Buddha. The next in importance are a few slabs of marble, which have on them inscriptions in characters which are now almost unknown. At the distance of a few yards from the Buddhist temple, are the remains of a very large building. Upwards of 300 pillars and a door neatly made of marble stand on the spot. "That is a miracle of our God," said one of the natives, pointing out to the door abovementioned. I asked him how he could call it a miracle? To which he replied: "the tremendous slab of marble which is laid over the two door-posts, is not in any way fixed to them, and as long as we believe in our God it will not come down!" Why, I don't believe on your God, and will it therefore come upon my head, asked I, "were I to cross its thresh-hold?" My friend uttered not a single word in reply. I thence went and examined the door-posts, and the slab which stood upon them. They were exquisitely well made. Captain Forbes demonstrated, that the Singhalese, a few centuries ago, had used the wedge and the chisel for splitting and shaping those huge blocks of marble after the manner introduced into Britain in the nineteenth century. This demonstration will fully be borne out by a careful observation of the numerous monuments still visible on the south-west of Ceylon, not to mention south east.* Besides the pillars and the door mentioned above, there is a small temple

*In the district of Welligamme, about 20 miles south of Galle, is a statue of an ancient King—excavated from the side of a huge mass of marble. It is about 10 feet high, and looks very beautiful.

(dedicated to Devot God,) made wholly of marble. It is very neatly made. It is shaded with trees, the floor is covered with weeds, and at present it is the abode of serpents. The temple of Buddha has lately been repaired at the expense of the Buddhists. It is a beautiful but dark building. A lamp is constantly burning in this temple. The image of Buddha, which is 27 feet in length, is made in a sleeping posture. The only commodious and substantial building of the natives, is a Bungalow of the Dondra Modliar.

3. The manners of the intelligent portion of the community are gentle and mild; but those of the less informed are more easily conceived than expressed; for there is a striking similarity between all semi-barbarous nations. One of the principal features in the character of the natives is their extreme apathy. The people who live about the country are still barbarous. Most of them are wretchedly poor, astonishingly ignorant, and grossly superstitious.

They are destitute of moral feelings—are habitual drunkards and gamblers; and notorious robbers. Many of them are neither Buddhist nor Christians; and are quite indifferent about their salvation. They would often boldly say—“What care we of Hell or Heaven? If we are to go to Hell, we will; for Hell to must have some one in it.” Some of the people about the interior are so stupid, that often in a court of justice, upon being asked the day on which a certain occurrence took place, they have replied “we don’t know.” If an ignorant native be asked “what was the distance from such an object to such a place?” he would say “I don’t know;” but if he be asked “will it be as distant from A as B. is from the witness box?”—he will most assuredly reply in the affirmative.

Matura is the parent country (of Ceylon) for superstitions—Horn-pulling, Breaking-of-Cocoanuts, Devil-dance ceremonies, and various others, often take place. In point of learning the intelligent portion of the community at Matura greatly surpasses that at Colombo. Hence the Singhalese adage—‘happy is the man that is born at Caltura† and is educated at Matura.

There is a fisherman at Matura who is remarkably tall and proportionably large—whose height is about 7½ feet. He is called yodeya (giant) by the inhabitants of Matura. I saw this man, and I confess I was quite surprised at his prodigious height. The following are some of the answers to the questions I put to him. “I am a fisherman and am obliged to go a-fishing for my maintenance—I seldom or never take any other persons with me. I can very easily land my boat as well as take it to sea without assistance. I once boxed a man, by which he very much suffered—I have never been mischievous. I earn my daily bread by my own persevering industry.)

It is called Kutteraje golla (the statue of the leprous King,) very probably from the circumstance of its having some eruptions on its feet. The natives who take a journey through Welligamme, are so foolish as now and then to offer money, rice, &c. to this statue.

† Caltura is considered to be a very healthy place.●

The amusement of the natives consist of religious processions and devil-dance ceremonies ; but though dancing girls (in fact males in disguise called *Thaoditchis*) abound, yet Theatrical exhibitions are uncommon. The only Theatrical exhibition is what the natives call *Kolan*. The play is every-where and always the same. Every actor has his head covered with an artificial face, made of wood and beautifully painted. A tragic pantomime is often introduced in the middle of the play. This play is often acted in Colombo—generally about the Christmas holy-days.

4. The professed religion is Buddhism ; but the devils† are worshipped by all except the intelligent native Buddhists. Devil-dance is very common at Dondra Head, as well as in Matura. There is hardly a single day in which the boisterous clamours of the tom-toms are not sounded in the hamlets around the town of Matura. Kapoowa, Yakendoora and Naketia are daily employed in this district. Devil-worship is strictly forbidden in the Buddhistical religion ; but the superstitious natives often resort to a devil-dance ceremony when a person is so dangerously ill, as to lead his friends to believe that it is in vain to expect any medical assistance. There are very few Christians indeed,—and from what I heard and saw a year ago, there were not twenty natives, who knew of a Saviour, still less who conscientiously believe in the “true and only God.” strenuous as has been the Missionary endeavours for the conversion of the heathen, very little has hitherto been done in Matura or Dondra. The reason is this : Because the people are too wise in their own conceit.

5. Cattle in this district of Matura are numerous, and are often used to convey coffee, deer horns, pepper, and various other articles from the country. They are more frequently used in the plough, and those of Matura are the cheapest in Ceylon. The dogs are of the cur kind, known by the appellation of paria dogs. The other animals are wild boars, jackals, coetahs, weasels, and many others of an inferior size. Wild peacocks are found in plenty. Among the birds may be mentioned “the far-famed birds of Paradise,” “the jet black cuckoo,” “the splendid azure coloured king fisher,” “the glossy magpie,” “the owl,” “the parrot,” and “the common crow”—together with several others too numerous to mention. The nests of the field sparrow are singularly beautiful ; and are often found hanging on the twigs of trees near fields. At the time of harvest these “leafy homes” are found in abundance.” I observed a few at Dondra Head, and while I viewed them I could not but exclaim in the words of the Poet.

† In the native mind three meanings are associated at the remembrance of the word ‘God’—1. A devio (God) is a person, who is born on one of the 26 Heavens. 2. A devetava, is a Divine Being (in dignity inferior to a devio but superior to a devil.) 3. A yakseya or rakseya or *Paka* is what is understood by a devil, or “the evil one” or Satan, who, it is said by the natives, feeds on human flesh.

--It wins my admiration

To view the structure of that little work—

A bird's nest—mark it well within without :

No tool had he that wrought ; no knife to cut ;

No nail to fix ; no bodkin to insert ;

No glue to join : his beak was all ;—

And yet how neatly finished ! what nice hand,

With every implement and means of art,

And twenty years' prenticeship to boot,

Could make such another ? Fondly, then,

We boast of excellence whose noblest skill

Instinctive genius fails.

Thomson.

Land tortoises, and sea turtles abound, and are eaten by the natives. Crabs,* lobsters, and oysters are in plenty. There are beautiful butterflies and insects of various kinds. A peculiar kind of gold coloured insects is found in abundance at Dondra Head, particularly amidst the brilliantly green foliage of Kosette trees. A minute description of the serpents found in the Matura district will not be uninteresting. The Pimboorah, which is the largest of the serpents, is as thick as a man's thigh, and of a proportionable length. It has a terrible aspect. The forehead is covered with grey and ash-coloured scales. The scales on the upper part of the body are somewhat reddish, and are shaded with spots of dark brown. The tail is slender. Underneath, towards the belly, are large spots of an ash colour, and disposed in beautiful order. The Tic-Polonga is a beautiful, but mischievous serpent. Its head is adorned with spots which resemble a wild flower of Ceylon called Baville. The whole body is of a liver colour, and diversified with beautiful spots. Its tail diminishes gradually to a point. The Polonga is of the same kind as Tic-Polonga, but less beautiful. The Cobra de Capella of the Portuguese (the hooded snake) is said to be very innocent, and is admitted into the houses of the natives. They seldom or never kill it, unless some person is bitten. The upper part of the body is generally of a dark red, and some white streaks run across it. Its belly is of a pale red. The forehead is marked with two spots in the shape of a pair of spectacles. It lives upon insects and frogs. Kunekatoowa is a poisonous serpent, of about a foot in length. It is of a dark brown colour. Karewella is a beautiful serpent, about the thickness of a man's thumb and about two and a half feet in length. It is less poisonous than any above mentioned. Its colour is brown ; but the body is diversified with spots inclining to a light red. Garendia is an innocent and harmless creature. It is as thick as a man's wrist, and proportionably long. The upper part of its body is of a dark brown and the belly yellow. It is often met with in the houses and gardens of the natives, who neither drive it off, nor kill it—because they are fond of meeting it whenever they go a journey, or go out of their houses. To meet one of these, is a good omen to the superstitious natives. It is frequently

* Those of the Ratgam Oya, a few miles from Galle, are the best in the Island.

found in the roots of native cottages and granaries in quest of prey, which generally consists of rats and mice. Altho' the bite of some of these serpents mentioned above, is followed with serious consequences, yet it is very seldom that people are bitten. It is generally believed that the decoctions of the native medical men are better antidotes against poison than those of the English doctors.

6. The country is healthy and abounds in various sorts of fruits and trees. The most complete assemblage of beautiful objects (in point of scenery) which can any where be found, presents itself at Matura. Fields in verdure—trees scattered here and there—flowers both gaudy and fragrant—streams beautiful and small;—contribute greatly to enrich the landscape. The soil in itself may be said to be barren; but prolific showers conspire with labour to overcome this obstacle. Except the hilly parts the ground is universally cultivated. Rice is the chief grain. The sweet potato is abundant, with various sorts of yams, beans and dry grains. Coffee grows luxuriantly under shade. The soil is the best adapted for the Sugar-cane and Nutmeg. the pepper-vine grows nearly in a state of wildness. The soil is in some parts so excellent as to consist of black vegetable mould to the depth of two or three feet.

7. In a commercial point of view the district of Matura is very favourable. Arrack is distilled all the way along the road from Pantura to Dondra Head—Cuir rope, yarn and junk are manufactured both at Galle and Matura. Deer-horns are generally collected in small quantities by the moors; who often exchange them for cloth, tobacco, &c. Matura jaggery is the best—that of Kandy excepted. Plumbago and Sapan wood are also to be met with—Coral stones are abundant, and are now becoming saleable. These stones are burnt into lime. Of this species of lime the late fort of Negapatam was built; and so great is the hardness which it acquires by long exposure to the weather, that when Major De Haviland, some years ago, requested a specimen of the masonry of the fort to be procured and sent up to him, the iron crows and other instruments used in detaching the blocks, were blunted and bent in all directions by the solidity of the chunam, which is far more adhesive than that obtained from shells. A stone capable of being converted into so valuable a cement, would almost pay the expense of its excavation,* The following is a statement of the quantity of stones purchased by Government during the last two years, and contracted for in the present year:—

For 1839.	Bushels 100,000	at 2½d. per Bushel	£1041 13s 4d.
1840.	Do. 25,000	at 2½d. per Bushel...	247 7s. 11d.
1841.	Do. 30,000	at 216-3d. Bushel...	273 8s. 11d.

155,000†

£1562 10. 2.

* R. M. Martin's British Colonial Library,—p 31.—Ceylon

† All these stones have been and are being brought from the Matura district, by means of Dhonies.

Boxes and baskets made of porcupine quills may be had at Matura. They are very handsomely made, and those made of a superior quality are often sold for three or four pounds each. This curious workmanship was first planned by Mrs. Barnett—the lady of the late Government Agent for the Southern Province.

8. The climate of Matura is various. Excessive rains and excessive heats form the chief varieties of the year. The country is generally healthy. The hot or dry season begins about March and continues till May or June; the rainy season continues from June to September or October; and the cold from November to January. All the coast of Galle and Matura, participates of the south-west monsoon that blows upon the Malabar coast.—The south-west that blows from April till September, and is favourable to vessels going from Cape Comorin to Manaar or the Coast of Ceylon near it—renders it impracticable to proceed thence to Dondra Head. The north-east wind that prevails from October to February, would facilitate the passage of vessels from Manaar and Dondra Head, but there they must wait again for the south west before they can proceed to Trincomalie, Point Pedro, and the Coromandel Coast.—*Ceylon Magazine for May.*

A.

MISSION OF COCHIN CHINA AT BATTAMBANG.

Translation of a letter from the Missionaries in Cambodia, to the Right Rev. J. L. Taberd, Bishop of Isauropolis.

Bangkok, 21st March, 1840.

My Lord,—The lively interest, which your goodness feels for all the flock confided to your pastoral vigilance, has doubtless caused you for a long time to desire some news from Cambodia. It is with the most profound grief that we find, that for the first account which we send, we have nothing to transmit but an account of destruction. The Christianity of Cambodia is no more: a sudden revolution, which in a single day converted Battambang into a desert, has entirely destroyed it. The history of this calamitous event is briefly as follows.

The Prince of Battambang, brother of the one at Penompenh, having become suspected at the court of Siam, and knowing that orders had been given to convey him to Bangkok, whither one of his brothers had already been sent into exile, resolved to escape to Penompenh, a city the remembrance of which is still dear to every Cambodian, who dwelt there in the time of its splendour. For a long time, Ang-em, (this is the name of the prince;) was waiting for a favourable opportunity to realize his project of escaping; and at length a most splendid one was there furnished him. The Governor of Battambang having, at the orders of the Rodyn, levied a body of troops, to the number of three or four hundred

men, in order to surprise the Annamite custom-houses near Pursat, placed at the head of this army his chief colleagues, who lived with him in the fortress as well as the prince. The army set out on the day of the full moon in December. Ang-em seeing that he had now but one enemy before him, gave the word of command to his partizans, and on the eve of Christmas, that is to say, three days after the departure of the troops, all the conspirators armed cap-a-pee, entered into the fortress at sun rise, by all the gates at once. Then the prince came forth from his house, and with his sabre in his hand, put himself at the head of his men : at his command all the gates of the fortress were shut, and the armed bands directed their course towards the Governor's residence. The Governor, who was acquainted with the prince's projects, had the evening before called a number of men to guard his house : amongst others there were many of our Christians, in whom he had great confidence : they loaded their fire-locks, and whetted their swords and lances. But as he was persuaded, that Ang-em would never dare to attack him in open day, he had the imprudence to dismiss his guards at break of day ; so that when the prince presented himself, not more than ten or twelve men remained, who took to flight at the sight of the armed conspirators. These latter summoned the porter to open the gate of his master's house ; and on refusal, he fell dead under the fire of the assailants. Another ball passed through the gate, killed one of the Governor's concubines, and lodged in the arm of one of his other women. The gates were then opened, and the prince ordered his brother-in-law Balat-Keo, and a disaffected Mandarin named Ream-Cathea, to go and seize the great Mandarin : the commission was not difficult, as he had no defenders. He was loaded with irons, and then conducted to the prince's house, where he was guarded until night-fall by a body of men who had orders to cut him in pieces, if he made the least attempt to escape.

All this took place within the fort, whilst we were celebrating the Holy Sacrifice of Mass. As soon as we had gone out of the Church, a confused noise was heard in our quarters. Immediately I ran towards the place whence the sound proceeded, and there I found Ream-Cathea, (or as the French call him, Gregory d'Abrew,) the most infamous villain that the Christianity of Cambodia ever saw. Armed with a lance that was fresh from the sharpening stone, he threatened death to any who should refuse to follow him. He had risked his head by laying his hand on the Governor ; he must in consequence make himself very secure of victory in order to insure impunity. The prince had sent him and all the chiefs of the conspiracy to make recruits in their respective quarters, in order to guard the bastions of the fort, and prevent a reaction. When I came near him, seeing him surrounded by five or six Christians, whom he threatened to run through with his lance, if they refused to follow him, "What is the matter?" I exclaimed : what mean these arms? What do you want to do? He bade me keep silence, for the affair in hand no wise concerned the father.

It is your business, I answered him, to keep quiet : and it is my duty to speak, and to direct the Christians, lest they go astray. Then addressing myself his troop, where, said I, are you going? This demand, which I thrice repeated, thrice remained unanswered. These weak and timid men, placed between the

fear of displeasing me, and the threatening lance of the revolutionist, stood mute as statues. Some women who were on the spot, answered for them and said, the king has seized on the governor's person ; they are going to assist the king.* Then I pronounced these words loud enough to be heard by every one ; You are the subject of the king of Siam, and whoever takes up arms against the representative of his authority, puts himself in a state of rebellion against him, and God. As soon as these words had been pronounced, Gregory set off with his troop and I retired.

About ten o'clock, the prince, now master of every thing, assembled all the mandarins, and summoned them to declare, if they acknowledged him for their master ; they all submitted without exception. As the prince intended to carry away all the population to Penompenh, he announced that the departure would take place that same day at night fall, and ordered all the Mandarins, to take with them all their respective subjects, either of their own accord or by force. In order to make them enter more securely into his design, he deceived them in the most unworthy manner, by telling them that he had made arrangements with his brother at Penompenh ; that forty Annamite barks were waiting for him on the great lake ; that an army from the East was advancing to support him ; that the revolt was general on that day through all the other cities ; and in fine that his partizans were spread through all the neighbourhood to stop those who resisted, and they had received orders to set fire to the city on the moment of departure, and to cut to pieces all who refused to follow the crowd. These good people, frozen with fear, believed the King's word as if it were truth itself ; and immediately prepared for the emigration. The men remained under arms ; the women and children set to work in husking rice for the voyage, which was to last for seven or eight days.

During this interval, we made every effort to preserve our little Christianity, which was ready to slip from our hands. We ran through the houses of those, whose devotedness, we were best acquainted with, and counselled them to flee into the woods when darkness came on, and to return again after the general turn out. But we were speaking to people who were possessed with fear, and who gave credit to the lying words of the prince. If we fly, they answered, we shall be massacred by the king's men, who guard all the avenues, and if I we escape their arms, on our return, we shall find our houses reduced to ashes : after all the Siamese troops will hasten hither to conduct us to Bangkok, as was done once before on a like occasion, and there we shall see ourselves reduced to the extremity of misery. Among all our Christians, we could not find a single grown up man resolute enough to remain with us ; so completely had the dread of the sabres and lances, which were seen on every side, frozen their hearts. One child only of 14 years of age, who lived with us, remained, and he left his mother to depart alone, that he might share our misfortunes.

Then seeing ourselves abandoned by our people, and on the point of remaining alone in a desert city, in the midst of a country from which escape is

* The Prince had the title of King, though his authority was not equal to that of the Governor.

impossible unless in a boat or under the conduct of a caravan, we deliberated on the course to be pursued. It was easy to follow with the rest, but then we should return to a country where a price was fixed on our heads, even before we set our foot there, and into which it was impossible to enter secretly.

There was then no advantage and great danger in accompanying our Christians; besides, we were on Siamese territory, and as the efforts which we had made to hinder the departure of our flock, would never have been known at Bangkok, had we been seen thus marching in the train of a revolutionary prince, we should be taken for rebels, and what would have been our responsibility, if the Mission of Siam had suffered persecution on our account; we therefore determined rather to be cut in pieces than abandon our post. Scarcely had we taken this resolution, when the Mandarin Beam-Cathea came to tell us from the prince, that he was charged to procure a vessel, and take care of us during the voyage. We replied, "Go tell the prince, that the French priests, want neither a vessel nor you to take care of them, for they will not quit this spot, though they were to die for it." I know not whether Gregory executed the commission; but he returned to the charge three or four times, conjuring us not to persist, lest we might endanger our lives. His entreaties were vain, for he always received the same answer. The signal for departure was given at night fall, and by midnight all were gone. Some of our Christians were going to lay hands on our portmanteaus, and carry them to the boat, which Gregory had prepared for us, in order to oblige us to follow them, but they yielded to our resistance. The next day, which was Christmas day, we were the only inhabitants of Battambang, with the exception of two old men, with whom no person wished to charge themselves.

Determined not to quit Cambodia until the last extremity, we resolved to ascend the river, and to go and fix our abode in some village in the mountains, or at least to obtain there guides, who might conduct us elsewhere. For this purpose a boat was necessary, and there were none left. However we found an old one, which I tried to calk, but it was so decayed that it was impossible for us to make any use of it. Two days after the turn out, the body of troops, which had been sent to the borders of the province of Pursat, arrived, driving before them a great number of families, who had fled along the road. Eight of our Christians made part of this troop, and we were delighted at their arrival. The city was immediately given up to plunder; the soldiers, having no longer any hopes of rejoining their wives and children, who had carried away all their little booty, endeavoured to indemnify themselves for what they had lost, and rushing into the houses, pursued the hens, ducks and pigs through the gardens: our house alone was respected. Not to be surprised by famine, we had collected before hand some fifty fowls in our house; but this provision could not last long: for there was common stock between our Christians and ourselves. Moreover, seeing that there was no longer a boat to go and fish in: that soldiers were arriving from every province of Cambodia at Battambang; knowing also, that the Siamese army was on its march to the town, we judged that our post was no

longer tenable. We demanded letters of departure for Chantabun; but were refused under pretext that we should be robbed or assassinated in the mountains. Then we asked letters for Bangkok, and after seventeen days solicitations and delays, obtained them. Setting out from Battambang on the eleventh of January, under the guidance of six of our Christians, we arrived at Bangkok on the second of February, after many sufferings during the journey.

Since we have been at Bangkok, we have learnt that the emigrants were stopped on the otherside of the lake by the Annamites; the prince was first conducted to Pursat and then to Penompenh; at present he is at Hue, as well as the Governor his captive. What will Minh-menh now do? Nothing is yet known. All the other Mandarins, on their arrival in the Annamite territory were put into the Cangué. Only the relations of the prince are at Penompenh: as for the other families, they have been distributed among different villages, where, report says, they are plunged in the lowest misery. Some Cambodians, who have been able to elude the vigilance of the Annamite custom house officers, and returned to Battambang, announce that our Christians are in a village situated between the lake and Ponompenh. Our six guides have been retained here: of four other Christians whom we left, three are recently arrived; and the other remains with the Governor in quality of physician. The Bodyn, knowing that their wives and children are set out, is afraid, lest they should take flight in order to join them; and it is for this reason that he has sent them to Bangkok. We have just been informed, that he has demolished our house and Chuerh, to build his theatre in their place. The Bodyn, in his warlike humour, had intended to go and attack the Annamites immediately; the Mandarins of this place say, that the king has written to him to wait a little longer. It is generally believed that the war will take place.

That this letter may not be merely the history of a revolution, I will say a few words to your Lordship concerning our administration. At our arrival in Battambang, there were 202 Christians, amongst whom 130 had received Holy Communion. All have presented themselves at the tribunal of penance, except two persons, who were slaves to Pagan masters. Half of this number communicated at Easter, and the other half, except twelve, have partaken of the Blessed Eucharist during the course of the year. The Communions repeated amount to 250. There have been four baptisms of adults; ten catechumens remained when the Christians left Battambang. The number of baptisms administered to Christian infants was 14; to Pagan children at the point of death 150; the ceremonies of baptism supplied to 23; confirmations 12; extreme unction 1; marriages 4; deaths of Christian infants 7, of adults 2. Having no longer in our hands all the notes from which we should have prepared the catalogue of our ministry, many of the above-mentioned articles only present an approximation to the real number. The poor Christianity of Battambang was in a very sad state at our arrival, indeed it could not be otherwise; for the poor Christians had not seen a Missionary since 1834; even the last that they had the happiness of possessing, did no more than pass through them. We were by the grace of God beginning to have the

consolation of seeing this flock enter into a better path, when the revolution came to disappoint all our hopes. May God be praised for every thing; perhaps all this will turn out for his greater glory. But for the troubles which have taken place, we should have set out from Battambang some time during January, 1840, to go and try to found a Christianity in the province of Curad; if the Lord in his mercy had permitted us to realize this project, it would not have been impossible to keep up a correspondence with Mr. Cuenot, who, as one of his letters informed us, was directing his course into the same line with this intention. Mr. Ranfaing, apostolic missionary at Chantabun, has just sent us two copies of your beautiful dictionary, which you had the generosity to address to us. We are infinitely obliged to you for the present, which we have already begun to turn to profit. We have just settled for our passage in an English ship, that sails for Singapore, with the design of repairing to Macao, in order to be ready to enter into Cochin China, when the Divine Providence shall judge proper to open to us the gates into that country. May the Lord deign to hasten this moment which we have so long desired, and to reunite us soon to our venerable pastor, whom we pray that he will be pleased to accept the sentiments of respect, with which we have the honor to be,

Your Lordship's most humble servants,

MUHE, M. A. and DUELOS.

Catholic Expositor, August 1.

REPORT BY T. A. CORBIN, ESQ., OF A VISIT TO THE TOWN
OF PAKCHAN AND MALEWAN RIVER, UNDERTAKEN
BY ORDER OF THE COMMISSIONER IN THE
TENASSERIM PROVINCES.

Sunday, Feb 7, 1841.—In compliance with instructions received from the Commissioner to proceed to the Pakchan river, which forms the southern boundary of the Tenasserim Provinces, to visit that branch of it called the Melewan, for the purpose of ascertaining the sites where tin ore of a superior quality is reported to be abundant, I quitted Mergui at 3 o'clock P. M. to join the gun boat which had been placed at my disposal, and which I had despatched at high water to the westward of Madramacan island to wait my arrival. At 5 P. M. reached the boat. A fresh breeze blowing from N. W. weighed and steered through the channel used by junks and small vessels, and at 10 P. M. anchored with Tree island bearing east, distant about 490 yards.

Monday, Feb. 8.—At 6 A. M. weighed with a light easterly wind and strong ebb tide and steered our course. At 11 A. M. calm, anchored. At 1 P. M. a breeze springing up from the westward, weighed. At 4 P. M. passed to the

eastward of the Mergui islands. At 5 P. M. steered between the N. W. point of Sellore island, and a low island called Karnaa, in the late Dr. Helfer's journal of his visit to the islands of the Mergui Archipelago. At 9, anchored in 7 fathoms, with Julian's island, bearing south 2 miles and a large reef of rocks N. by W. half a mile.

Tuesday, Feb. 9.—At 7 A. M. made sail with the first of the flood, and a light breeze from east. At noon, the ebb having made, anchored in 7 fathoms, the N. E. end of the island of Kisseraing. At 5 grounded. At 6 channel quite dry from Kisseraing to the large Mangrove island to the eastward. At 9 floated and made sail to the southward with light winds E. S. E.

Wednesday, Feb. 10.—At day light the south point of Kisseraing bore west. At 11 A. M. passed the Malay settlement of Tsadeng. At 1 P. M. anchored in 4½ fathoms, the whole of the rocks at the entrance of Bokpeen river bearing east, and the small island off the entrance N. by W. half a mile. Strong breezes from E. S. E. during the afternoon. At 7 P. M. left the gun-boat and proceeded in my canoe to the village of Bokpeen, for the purpose of procuring some Siamese said to be acquainted with the tin ore localities in the Melewan river; arrived at the village at midnight.

Thursday, Feb. 11.—At day light visited the village, and with the assistance of Sadduck (the Thoogyee or Headman of the villages of Bokpeen and Lennia) procured two men, who professed a knowledge of the different creeks branching from the Melewan, in which, during their hunting excursions they had discovered places abounding in tin ore. One of these individuals gave some information to the late Dr. Helfer regarding these localities. At 1 P. M. left the village and got on board at 5, weighed, and made sail, stood to the S. W. passing the north end of Charles Forbes's island and entered the channel used by vessels bound to Mergui from the southward and westward. At 8 P. M. anchored in 12 fathoms, High island bearing S. W. by W. and the north end of Charles Forbes's island east.

Friday, Feb. 12.—At 1 A. M. the wind having hauled round to east, weighed and stood S. by E. At 6 passed Collie's island. At noon light variable winds, Boyce Point bearing N. E. and the Middle Gregory's west. During the remainder of the day fresh breezes at east. At 9 P. M. anchored in 4 fathoms at the entrance of the Pakchan river. Victoria Point bearing E. S. E.

Saturday, Feb. 13.—At 7 A. M. calm—weighed and pulled up the entrance of the river among the islands. At 10 A. M. a canoe with some of the Malays engaged in forming the settlement on the Melewan came alongside. The crew reported that the chief of Pakchan was at Kehgnou (a Siamese settlement on the left bank, and at the entrance of the Pakchan river, where there are extensive tin mines.) At 2 P. M. anchored in 8 fathoms, Victoria Point bearing south ¼ of a mile. At 9 P. M. weighed with the flood and worked to the eastward. Being desirous of an interview with the Siamese chief, to inform him with the purport of my

sent visit to the Pakchan, I anchored at midnight close to the entrance of Kelignon river.

Sunday, Feb. 14—At day light we were boarded by the "report boat," a small canoe with a crew of three men, who said their chief was at Pakchan. At 8 A. M. weighed with the flood and worked up the river against a strong head-wind, and anchored at 3 P. M. with Lloyd's Point, bearing N. E. by E. At 11 P. M. weighed with the flood.

Monday, Feb. 15.—At 4 P. M. the ebb having made, anchored in 7 fathoms. During this tide we did not gain more than 4 miles; there being no current up the river. At 10 A. M. weighed and worked against a very strong N. E. wind till 5 P. M., when we anchored to the eastward of the northernmost islands off the mouth of the Malewan river. At 6 P. M. a Siamese canoe from Pakchan came alongside, having on board a subordinate officer, who mentioned that the chief was in town, and who having been informed by Cheelon (the head man of the Malays now settling on the Malewan) of my intended visit, had erected a house for my accommodation, and that the officer in charge of stamps and records at the court of Siam, had also been despatched, by order of the ministers, to be present at the interview. In consequence of the very slack flood tides I determined to visit the Malewan river during the present neap, and proceed to Pakchan during the springs. At 7 P. M. Cheelon came on board. He had heard of my arrival off the entrance of the river from some of his people returning from a fishing excursion.

Boats or vessels bound to Malewan ought to stand to the westward of the islands after passing to the eastward of the southernmost group, between which and the others there is a broad and deep channel; the only obstacle is a small island in mid-channel, but there is deep water quite close to it. My reason for standing to the N. E. by which I lost a day, was that neither Sadduck nor the Siamese I brought with me had ever gone through the inner channel, therefore were unaware of the existence of a navigable passage.

Tuesday, Feb. 16—At 3 A. M. weighed and pulled to the mouth of the Malewan, where we anchored at 7 A. M. in 7 fathoms, it bearing N. by W., that of the Lacoan river E. by N., Lloyd's Point S. by E. and a small island distant about 100 yards west. At 10 A. M. a breeze from the eastward having made, weighed and sailed up the river, about 3½ miles, shoaling the water gradually from 7 to 2½ fathoms, when we anchored. The river here diverges into two narrow and very shallow channels. Proceeded in the canoe towards the new settlement on the channel to our left, ascending, and about 3 miles from the anchorage, 1 mile beyond, 4 Siamese families are located. These were sent over a year ago when the chief of Pakchan understood we were about to form a village on this river; the Siamese flag was, at the same time, hoisted at the point forming the entrance of the Malewan, shreds of which are still remaining on the staff.

There are now 36 Malay families employed in making a clearance for houses and gardens on both sides of the creek, but as the Malays do not excel

in such works, and much of their time is occupied in fishing for their subsistence and proceeding to Mergui for supplies; they do not progress rapidly. Two Siamese families, who came from Bokpeen at the same time as the Malays, have cleared a considerable space for cultivation during the ensuing rainy season. The country on both sides of the creek is flat and studded with a few, small hills, one of which is immediately in the rear of the present clearance. The soil is apparently very rich and about 9 feet above the level of the nullah when swollen by the monsoon rains. The small plantations of paddy and sugar-cane, formed by the Siamese last season, appear to have thriven exceedingly well. The forests abound with the wood-oil tree, numbers of which are of a gigantic size; in no part of the provinces have I seen them attain similar dimensions. One of those I measured was 114 feet to the first branch and 18 feet in circumference three feet from the ground; the other 117 feet by 18½ feet. Very fine specimens of thingan and of the red wood, called "keng-gau" by the Burmese, are also plentiful. At this season, during the neaps at high tide, there is just sufficient water in the creek near the village to float small canoes, but on the springs one fathom water is obtainable. On arrival at the village I made inquiries concerning the tin ore localities, but neither Cheelon or his people could furnish the slightest information regarding them. They said that a short distance up, the creek diverged into several branches and that small parties had visited these but had been unsuccessful in discovering tin to any extent, and what they had found they did not consider of sufficient value to be worked. They depended, they said, on an old Siamese residing higher up the creek for information, who had promised, when they were once settled, to show them the places where the ore abounded. I sent for this person, but he denied most positively the existence of tin ore in any of the branches of the Malewan. For the last 25 years he had, by order of the Siamese government, very frequently visited the different streams in search of tin and had found the ore only in the first nullah on the right bank; it was rather plentiful, but of so inferior a quality that it had been condemned, that is "it would not smelt." I requested him to accompany me to the spot where this ore was to be found: but he declined doing so until authorised by his government, he being a Siamese subject and long a subordinate government officer; alleging, that if he displeased his superiors he would subject himself to severe punishment, but offered immediately to proceed to Rehgon to give notice of my arrival and the purpose of my visit, and that he would be guided by the instructions he might receive in consequence. Nothing could alter his resolution, and he proceeded down that afternoon. Whilst at the village, I met the head man of a boat who had come down with a cargo of paddy: he was returning from an excursion up the creeks in search of tin, had been absent 2 days, but had been unsuccessful. I desired Cheelon to make the necessary preparations the following morning for proceeding up some of the creeks which had not yet been explored, ordering him at the same time to despatch parties in different directions. I called upon the Siamese, whom I brought with me to point out the places where they had said that Tin existed, but I could obtain nothing more from them than that when hunting they had landed on the coast, and in travelling through the forests, had come upon rivulets where the ore abounded, but they were ignorant of its quality.

neither could they say whether the rivulets debouched into any of the branches of the Malewan, although from their locality they considered it probable they did. These opinions were to me any thing but encouraging. I was, however, determined not to relinquish all hopes until I had personally satisfied myself that tin was not to be found in this river.

Wednesday, Feb. 17.—Breakfasted early and went to the village, where I was informed that a Malay had found a little tin in a small creek about 2 miles distant. I proceeded through the jungle to the spot, and found that the Malay had hit upon the ore at its commencement; following up the stream I perceived that the ore became more abundant. About 2 miles from where I first reached the pullah, I saw places where tin had been worked and where the ore was plentiful, but both Siamese and Malays who accompanied me, said they considered it of an inferior quality,—that is, they doubted whether it could be smelted, and thought it similar to that described by the old Siamese. On examining the sand which had been washed down during the rains near this locality, I found it contained a small proportion of tin. The layer of soil containing the ore was in some places upwards of 7 feet deep. The principal drawback to this site for working tin during the dry months is the scarcity of water; on the spot where the specimen was collected but a very small stream of water existed, and about one mile higher up, where the tin appeared to abound, there was little or none. My own opinion is, that should the ore prove good, this locality might be worked to great advantage when water was plentiful in the creek; and I was informed by the natives, that a woman (for it is here considered the work of women and children) laboring during the usual hours and collecting ore at the rate the sample had been, would earn at least 1 Rupee per diem. I attempted to smelt some of the ore I had collected but failed, which I attribute, however, to inadequate means. The country I traversed this day was of the same flat nature, the soil appearing very rich with a thick upper stratum of decomposed vegetable matter. The forests consist of low trees with a few of a very large size and of different varieties interspersed with little or no low jungle beneath, so that clearances might easily be effected. In the evening I determined on proceeding to Pakchan to visit the chief, and desired Cheelon to send, during my absence, parties in different directions in quest of tin. I joined the boat at 7 P. M. and the ebb having made, pulled to the mouth of the river and anchored.

Thursday, Feb. 18.—At 4 A. M. weighed and worked up the river against a head wind, carrying deep water from bank to bank. At 7 A. M. passed the great Kamau river on our left, about 4 miles above the Malewan, and at 9 anchored in 7 fathoms abreast the entrance of the lesser Kamau river, about 2 miles above the latter. From the islands of the Malewan, the Pakchan river runs in a N. N. E. direction a distance of 14 miles. About $\frac{1}{2}$ a mile above where we anchored on the left bank of the river, is a large creek, running in a S. E. direction, on which ratan, which is not met with on the Malewan, is found in great quantities.

At 4 P. M. I weighed, and at 11 P. M. anchored, having made about 15 miles. Soon after weighing I discovered extensive sand banks in the middle of the river, dry at low water spring tides, leaving a very narrow channel at their left side. Higher up the different reaches bend from N. by E. to N. E. the river gradually diminishing in breadth. I passed a very extensive and superior plantation, occupying both banks of the river. At the end of the long reach running N. N. E. the high land on the left bank ceases, and thence to Pakchan the country is low and apparently but a very few feet above the level of the river at the highest water mark.

Friday, Feb. 10.—At 6 A. M. I proceeded up, the river becoming very tortuous and narrow. At 8 A. M. I passed the entrance of a large creek (called Namnoi) on our left, which bends to the westward one tide's boating: in this are valuable turtle banks. At 9 A. M. I reached the commencement of the cultivation near the town (if so it can be called, it containing only about 160 houses scattered along both banks of the river) and at 10 anchored, abreast the principal landing place at the confluence of the Karaa and Pakchan rivers, where the mainstream is 20 yards broad, having only 2 feet water in a very narrow channel on the left bank at low spring tide, having come a distance of 9 miles. No communication having taken place with the gun-boat after having been half an hour at anchor, I despatched Sadduck to the chief, to say I had arrived and wished to call on him. Sadduck returned immediately saying, that in a newly erected "Than-dai" he had met, not with the chief of Pakchan, but the officer from the court of Bangkok, who desired him to inform me that he was prepared to receive me. I accordingly landed, and on arrival at the "Than-dai" (a large temporary building enclosed on three sides with two platforms of different heights in the centre) I saw this officer, who rose from his couch, offered a chair, and seated himself in another close by me. His attendants were few, and armed with swords and muskets, the latter of a very inferior description, and certainly unfit for immediate service, as I observed one to be unflinted and another without a ram-rod. He put a few unimportant questions to me until the arrival of three officers, with apparently the greater proportion of the male population as followers, who took their seats on the couch which had been left unoccupied. He then asked "whether I was the officer in charge of Mergui?" which I answered in the affirmative, and requested that he would inform me who I had the pleasure of addressing, and who the officers on the couch were? He said he was the officer in charge of the stamps and records of the court of Siam, who, having heard that I was about to visit Pakchan, had ordered him to meet me and to ascertain the purpose of my visit. The officers on the couch were the chief of Pakchan and Champoon, and the son of the late chief of Champoon. The conversation that ensued related chiefly to the subject of the boundary in this direction between the English and Siamese territories, and was carried on entirely by the officer sent from Bangkok, neither of the other chiefs taking any part in it.

The village of Pakchan appears to be a very wretched one. Beyond a few sugar-cane plantations I observed no cultivation of any kind, and the inhabitants seem miserably poor.

Saturday, Feb. 20—At noon, being high water, weighed and pulled down the river. At 6 P. M. anchored about 12 miles below the village.

Sunday, Feb. 21—Weighed at 1 A. M. and made sail, a light breeze blowing down the river, and at 3 P. M. anchored in the Malewan in 2 fathoms, nearly in our former berth. At 5 P. M. Cheelon came on board and reported, that during my absence, he, his people and two Siamese, had visited several of the creeks in a s. w. direction, all within a few hours march from the village, in five of which they had found tin in great abundance, all of a similar quality to that first discovered, samples of which they had brought with them, but they doubted its quality for the reasons previously given.

I directed Sadduck to proceed up the great Kamau river, taking a party of Cheelon's people and one of the Siamese with him, to ascertain what quality of tin ore was to be found there, and in what quantities; if successful, to make note of the distance from the mouth of the river, the locality, nature of soil, &c. They left in prosecution of their journey about midnight.

Monday, Feb. 22—After breakfast, I went to the village, and thence in a westerly direction, till I reached a small creek running to the w. N. w. I followed this a short distance and found it to contain ore, but apparently of the same description as that already collected. I returned to the village at sun-set, where I dined and then proceeded on board the gun-boat.

Tuesday, Feb. 23—Having observed that neither of the two creeks to the north-westward had been visited, I determined upon exploring one this day. At 9 A. M., having been joined by a party of Malays and the head-man of the Burman boat, I proceeded up the creek (which runs in a s. w. direction) a distance of about 4 miles, when we landed on the left bank, and, having walked about one mile, crossed to its right bank, making the best of our way through the forest for 2½ hours in a w. N. w. direction, we arrived at the side of a creek. I immediately set the people to examine its beds and, to my great joy, it was found to contain tin, not only in great abundances but, according to the opinion of the natives, of a very superior quality. Its appearance differed from any I had yet seen, being of a reddish-brown colour.

This locality is well adapted for working the ore during the s. w. moon-
soon, as the creek is very tortuous and the land low, with very few small trees.* The natives appeared delighted at this discovery, and the Burman said he would most certainly settle himself there during the rains to work the ore. One of the Malays who had worked at the Retigon and Tacopu Mines, said they were not nearly so rich as this. The colour of the ore in those Mines was similar to that found in the eastern creeks. I tried one or two places above and below, and found them equally rich in ore. On our return we followed the course of the streams, and after 2½ hours' hard walking, reached the entrance of the creek; but, to the surprise of every person, found we had missed that we had ascended in the morn-

* Consequently small canals could easily be cut.

ing, and had come to the mouth of a smaller one about one-third of a mile below the village, whither we proceeded to procure a canoe to carry us on board. Some Siamese and Malays, on observing the fruits of our labours this day, were no less surprised than delighted, as they were un aware of the existence of any such ore in the neighbourhood of this river. I arrived on board at 8 P. M.

Wednesday, Feb. 24.—At 9 A. M., when about to proceed to the same creek where I landed yesterday, two Malays, who had been sent to the Kachon river (the branch about half way between this and Victoria Point,) returned with a large specimen of ore, which they, with the assistance of some Siamese, had collected in the creeks branching off from this river, saying it was very plentiful. They were accompanied by another canoe, having on board two Siamese families, who are established about 12 miles up this river. They told me they consisted of three families or 18 individuals. Their occupation was cultivating sugar cane, vegetables and a little paddy during the s. w, monsoon. The soil and country was very similar to that now clearing by the Malays, but at a short distance were some high mountains. The sugar cane thrrove very well, and the little paddy which they had sowed last year, yielded an excellent crop. A short distance above their habitation, the river divided into small creeks, in the beds of which tin ore was to be found. That which the Malays brought me had been collected within the hearing of a musket shot from their houses. At this season there was but little water in the streams, but during the rains tin might be worked to advantage. They were anxious to know whether we intended forming settlements along the right bank of the Pakchan, for if so, all their relations, who were residing at Renoung, would come over. They were employed by the chief in collecting ore, for which work they received little or no pay.

At 9 A. M. having procured a small canoe from the village, I with one Siamese and two Malays, proceeded up the creek and landed about two miles higher up than yesterday. After walking one mile I came to a spot where, having picked up two pieces of, apparently, very old-plank, I desired the Siamese to examine the creek, and was not a little gratified to find that ore was not only to be found, but to all appearance very similar to that discovered yesterday.

The appearance of the country in this vicinity induced me to believe that a clearance had existed in former years, which was in some degree corroborated by my finding several pieces of earthen ware; lumps of charcoal were also picked up in the water. I followed the stream about 2 miles and found tin, but not in such quantities as in the first spot. To this the spring tides reach: this day there was a rise of 18 inches. We were forced to return to our canoe, which had been moved down the streams rather early. The water recedes very fast, and as it was, we had to walk about 2 or 3 miles through a thick mangrove forest, and over a particularly bad road. This could easily be remedied, by cutting a passage to the village, which cannot be above 4 miles distant. This tin, like all the others, could only be worked on a large scale during the rains, on account of the scarcity of water.

The country, so far as I have seen, appears much the same as that I have already described, and well adapted for the cultivation of grain, sugar-cane, betel and spice trees, the creeks being numerous, not very distant from each other, and never perfectly dry, and the country being low, small channels might easily be cut for the purpose of irrigation, if water were not otherwise procurable.

At 10 P. M. Sadduck returned unsuccessful. He brought with him a small specimen of tin, which he said was found in limited quantities. I am, notwithstanding, of opinion, that if the different creeks, higher up the river than where he went, were examined, ore would be found.

Thursday, Feb. 25.—Having been unable to procure much tin of the two reddish qualities, I directed all hands to be employed this day in collecting large specimens of them. In the evening the old Siamese, of whom I have already spoken, came on board, and on my pointing them out to him and asking how he could have tried to deceive me, he declared on his oath that he had visited, as he thought, all the streams from their very sources downwards, and had never seen the like, and he asked if any one could suppose that these mines containing ore of the very first quality would have been so long left unworked, if the Siamese chiefs had been aware of their existence. He admitted that he was on his way to Pakchan to report their discovery.

Friday, Feb. 26.—Landed to procure such tin as might have been collected at the upper locality yesterday, also to see the people prior to my departure, which I intended should take place at that night's ebb; but I was much disappointed in hearing that the natives had lost their road and did not reach the place till late in the afternoon, and had brought back but a very small quantity of ore. They said on their return they had cut across the country and arrived at the village in one hour. I ordered a fresh party to the place immediately, saying I would wait another day, as I could not think of going to Mergui without bringing with me a large sample of ore which was of so good a quality. To employ my leisure, I procured an old pair of Siamese bellows, which, having put in some sort of order, and made 2 or 3 crucibles, I tried experiments on the good qualities of the ore, and also on some from the other creeks. The former melted with little difficulty, but, I regret to say, such was not the case with the latter, which instead of smelting was apparently reduced to ashes. In this I was much disappointed, for amongst the number of persons who have come over from Renoung, Lavon and Pakchan during my stay here, to whom I have shown the different ores, half were of opinion that the "black" ore was equal to that of Renoung, while others said it might return 40 per cent of Tin. As the people I had now sent to collect a specimen were not expected to return before to-morrow noon, and this black ore was apparently a failure, I determined to visit the one remaining creek bending most to the northward and nearest the anchorage, and at 9 P. M. left the gun-boat in a small Malay canoe for that purpose. After pulling about 4 miles in a direction from N. to N. N. W. I came to a bed of rocks extending across the river, where we halted for the night.

Whilst making the experiments, a sample of sugar, from the cane grown by the old Siamese, was brought to me for inspection, and which, considering the limited means for making the same, may be considered as of excellent quality. I procured a small sample, both of the cane and sugar, for the purpose of forwarding the same to Maulmain for inspection,

Saturday, Feb. 27.—Landed at day light, and after proceeding a very short distance, tried the bed of the river and found it to contain ore of the reddish kind, and according to the opinion of the Siamese equal in quality to that found in the two creeks above mentioned. At some distance further up the streams a search was made and ore was found. There being only one person who understood cleaning it, I could not collect a large enough specimen, but Cheelon said he would do so and forward it to Mergui in the course of 2 or 3 days. After breakfast I returned to the gun-boat and arrived on board at 2 P. M.

Having done all in my power to fulfil the object of my mission, I weighed anchor and stood down the river with a light northerly wind, passed through the western passage, and carried very deep water. At 6 P. M. a squall from the north came on, with heavy rain, and I anchored to send the two Siamese I had brought with me to the boat belonging to the Burman, which was on her way to Bokpeen. At 7 P. M. I weighed and at midnight and passed Victoria Point.

Sunday, Feb. 28 —Having passed the islands at the entrance of the Pakchan river, I stood w. N. W. to run into Hasting's harbour, having been informed by Cheelon that several Salonese families would be met with there. At day light I saw nine boats crossing from Hasting's Island to St. Mathews. At 8 A. M. I anchored close to the White Rock near the N. E. point of the latter island, and landed, where I met a horde of these miserable beings. After speaking with the two head men, I returned on board and proceeded through Hasting's harbour on my way back to Mergui.

Friday, March 6—From the 1st instant to this day, working up among the island against winds, varying from N. N. E. to W. N. W., and at 6 P. M., I landed at Mergui.

On the 2d went on shore at the south end of Sir E. Owen's Island, to visit another horde of Salonese.

Mergui,

The 6th March, 1841.

Moulmain Chronicle, May 26.]

TRANSACTIONS BETWEEN THE ENGLISH AND BURMESE ON THE ARRACAN FRONTIER, IN THE YEARS 1794 AND 1811.

Having lately fallen in with a very amusing Burmese Volume, purporting to give a narrative of the transactions between the English and Burmese on the Arracan frontier, in the years 1794 and 1811, we have made a translation of some portion of it, which our readers may compare with the subjoined extract from Col. Syme's historical introduction to his work.

"The River Naaf, which bounds the British and Burman territories, is situated at a considerable distance from the town of Chittagong. The banks of this river are covered with deep jungles, &c. The asylum that such places offered to persons concerned in a lawless traffic, rendered it easy to be carried on without the knowledge of the English officers of justice ; nor could it possibly reach the notice of the Supreme Board, unless a proper representation was made, either by the individuals who were aggrieved, or by the Government of the country. This, however, was a condescension to which the mighty Emperor of the Burmans, who conceives himself superior to every potentate on earth, could never stoop. To ask redress was beneath his dignity ; he proceeded by a more summary course to do himself justice. On its being ascertained that three distinguished leaders of the robbers had sought refuge in the British districts, His Burman Majesty, without communicating his intentions, or in any form demanding the fugitives, thought fit to order a body of 5,000 men, under the command of an officer of rank, to enter the Company's territories, with positive injunctions to the commander, not to return unless he brought with him the delinquents dead or alive : further to support this detachment, an army of 20,000 men were held in readiness at Arracan.

"So unexpected an aggression, offered without any previous remonstrance, left no room for discussing the merits of the case. The Burmans having taken upon themselves to redress their own grievances, it became necessary to convince them that they had mistaken the mode ; and what they might readily procure from English justice, they could never procure through fear ; to accomplish this purpose, a strong detachment was formed at the Presidency, the conduct of which was entrusted to Major-General Erskine ; the troops proceeded from Calcutta to Chittagong—a battalion of Europeans and Artillery by water, and the native sepoys by land.

"Seree Nunda Kiozo, the Burman Chief, to whom the arduous task of reclaiming the fugitives was assigned, acted with more circumspection and prudence than the Government from which he received his instructions. After his army had crossed the river and encamped on the western

bank, he dictated a letter to the British Judge and Magistrate at Chittagong, acquainting him with the reasons for the inroad, and that the capture of the delinquents was his sole object, without harbouring any designs against the English. At the same time he declared in a peremptory style of demand, that until they were given up he would not depart from the Company's territories. These matters being reported to Government, the Governor-General was pleased to order the Magistrate of Chittagong to apprehend the refugees and keep them in safe custody till further directions.

"On the approach of General Erskine, Sere Nunda Kiozo sent a flag of truce to propose terms of accommodation, stipulating for the surrender of the fugitives as the basis of the agreement. The General replied that no proposals could be listened to whilst the Burmans continued on English ground; but as soon as they should withdraw from their forfeited camp and retire within their own frontiers, he would enter upon the subject of their complaints; notifying, also, that unless they evacuated the Company's possessions, force would be used to compel them. The Burman Chief, in a manly confidence of the English character, personally waited on General Erskine, and disclosed to him the nature of his instructions, the enormity of the offenders, and the outrages they had committed. Gen. Erskine, whose moderation and judgment on the present occasion cannot be too highly commended, assured him that it was far from the intention of the British Government to screen delinquents or sanction in their country an asylum for robbers; but as the manner in which the Burman troops had entered the Company's districts was so repugnant to the principles that ought to regulate the conduct of civilized nations, it was impossible for him to recede from his first determination. He gave hopes, notwithstanding, that if the Burmans peaceably retired, the Governor-General would institute a regular inquiry into the charges preferred against the prisoners; adding, that instant compliance with the conditions that were prescribed, was the only ground on which they could expect so great an indulgence. The Burman General, either contented with this intimation, or convinced that opposition would be fruitless, professed his reliance on Gen. Erskine, and agreed to withdraw his troops: the retreat was conducted in the most orderly manner. Gen. Erskine was afterwards empowered by the Governor-General to investigate the charges against the refugees, when, after a formal and deliberate hearing, their guilt being established on the clearest evidence, they were delivered over to their own laws, by whose sentence two out of the three underwent capital punishment."

To the above account of the matter given by Col. Symes, we append that given by Wilsoin his Summary of the events of the last War :

" Shortly after the conquest of Arracan, a Burman army entered the Company's territories in pursuit of robbers, without any previous representation of the cause of their aggression, or intimation of their purpose, whilst a force of 20,000 men were assembled at Arracan, to support the invasion. The advance of a British detachment, under Col. Erskine, and the prudence of the Burman Commander, prevented hostilities; but the presumption of the Burman Government was so far encouraged, that the principal individuals, who had incurred its displeasure, were secured and delivered up to its vengeance.* The communication thus opened was thought to afford a favourable occasion for a pacific mission, and Col. Symes was, accordingly, despatched on that object. The reception of the Envoy, however, as detailed by himself, clearly exhibits the interpretation given to it by the Court, and evidently considered it a tribute of fear rather than as an advance toward liberal reconciliation and civilized intercourse."

" In the year 1157, (1794,) three men of Arracan, viz. Nga-pau-loon, Nga-kwet-pouk and Kyonai-ta-goung-naing, rebelled, on which the Yewoon of Rangoon being appointed Generallissimo, marched with 15,000 men by land and water to Dalah, where he was joined by the Myo-woons of Yam-ma-wad-dee, May-ga-wad-dee and Dwa-ra-wad-dee, with their respective contingents. A council of war being held, the Myo-woon of May-ga-wad-dee, whose title was Let-ya-shoay-doung, proposed that 5,000 men, who had come from the capital under the command of the Bos (military commandants) of Pendalay and Yenangyoung, should be joined to his own force and form an advanced army, with which he would take the city of Arracan, then held by the rebels, while the main army could follow. This proposal being approved of, those 5,000 men were joined to his 2,000, making 7,000, with which he advanced, drove the rebels before him, and took Arracan to which the main army advanced without opposition. The three rebels, unable to withstand the force brought against them, fled to Chittagong, in the country of the Kullas. Let-ya-shoay-doung marched against them, and halted at a Lake, two days march from Chittagong, the main force under the Generalissimo, being one day's march in the rear. At this time the " Bengal Calcutta

* Of this transaction, Dr. Hamilton remarks; " the opinion that prevailed both in Chittagong and Ava, was, that the refugees were given up from fear; and this opinion has, no doubt, continued to operate on the ill-informed court of Ava, and has occasioned a frequent repetition of violence, ending in open war. The consequence of this will, no doubt, prove fatal to Ava, but may produce subsequent difficulties to the Government of Bengal. These evils might possibly have been avoided by a vigorous repulse of the invasion of 1794, and a positive refusal to hearken to any proposal for giving up the insurgents after the Court of Ava had adopted hostile measures in place of negotiation, to which alone it was entitled."—Account of the Frontier between the southern part of Bengal and Ava. *Edinburgh Journal of Science* for October, 1825.

Goomanee" (British Government,) having appointed "Mee-kayseng" (General Erskine) General, he advanced with 10,000 white men and 20,000 black men (Sapaeah) Sepoys, and having halted ten miles in advance of Chittagong, sent the following letter.

" ' On the westward of the Wayla and Kyientan mountains is the country of the twelve cities of Bengal, which is part of the dominions of the king of Beelat (England.) The troops now encamped at the lake must take down their standards and return to the eastward of the mountains.' To this letter Let-ya-shoay-doung, the commander of the advanced army, replied : ' The twelve cities of Bengal in the country of India, which the English Company have taken possession of, form part of the territories of Arracan. To the westward of Bengal, the river Bageela, forms the boundary. As we are friends with the king of England, we do not take possession of this territory, but now to raise enmity between the countries, you harbour the three rebels, this is not acting according to friendship and will produce enmity. When General Erskine reports all the circumstances to the Goomanee in Calcutta, he will have to give up the three rebels. If they are not given up it will not be right that the English retain the twelve cities of Bengal. The English conquered the Mussulmans of Delhi, but the twelve cities of Bengal were not part of their territories, they formed part of those of Arracan, and we shall take possession of them and plant our standards even in Calcutta.' Having despatched this reply by the messenger who brought the letter, orders were given to the commandant of Ye-nan-gyoung to advance by the right, with 2,500 men, and the commandant of Pentalay by the left with 2,500 and conceal themselves in the jungle. General Erskine, on receipt of the letter, gave the command of his advanced army to an officer called "Salamyong," who advanced at once, firing cannon and musketry. Let-ya-shoay-doung bore the attack as if his troops were iron, and did not retreat. In the mean time, the two wings who were hid in the jungle attacked the English from their rear, when losing more than ten officers and a thousand men, they retreated to their old encampment in the front of Chittagong. After this, our Generalissimo, the Yewoon, gave orders to collect the arms of the Kullas who had been killed, but Let-ya-shoay-doung said—'The country of the Kullas is not a small one, but very large. Whether attacking or defending they can turn war in all directions, and will not take account of the defeat of an advanced force. Whether we obtain possession of the rebels or of Bengal, we shall get great credit ; but the extremities of our country, Bassein, Rangoon, and Tavoy, are open to ships. By land we are all safe, but by water we are exposed. If affairs go wrong, commanders are blamed. We have now beaten the Kullas and 1,000 of them are dead. We were not the first to attack their troops, and, therefore, we should not take possession of their

arms. Erskine is a clever negotiator, and he will send to negotiate.' Let-ya-shoay-doung's opinion was approved of, and two days afterwards an Englishman named Bauzalee, who spoke Burmese, with 300 followers, was sent by Erskine, when he was well received by Let-ya-shoay-doung. Bauzalee seeing that the arms of the dead men were not taken, said 'take their arms and allow me to bury the bodies.' Let-ya-shoay-doung replied that it was not the custom of the Burmese to use the arms of their enemies who fell in battle. Bauzalee highly praised Let-ya-shoay-doung and then caused the dead bodies to be buried, after which their arms were thrown into river, and the Kullas returned, leaving Bauzalee with 50 men in the camp, who said, 'the commander of our advanced force, Salaymyeng, was not an able officer, and consequently many men have been killed. In all that has passed both sides have been in fault. Send a person who is able to negotiate to General Erskine with me, when all differences will be settled.' This proposal being approved of, a Tseet-kai and a Tsaye were sent with 500 followers with Bauzalee, and the following letter : ' From Let-ya-shoay-doung, commander of the advanced portion of the army, sent by His Majesty the king of Ava to put down rebellion, to Meekayseng, appointed General of the Bengal Calcutta Goomanee. Our Master and your's the English Ruler of Beelat, having entered into friendship, the people, ships and boats of one country trade with the other. Three rebels (naming them) have fled to Chittagong in the jurisdiction of the Goomanee, and our Master has ordered us to march and apprehend them. According to the friendship existing between the two countries, and in order not to cause enmity, I have sent the Tseet-kai and Tsaye (naming them) with full powers. General Meekayseng is a person who well knows what is beneficial and what injurious ; I request that in order to preserve friendship he will give up these rebels.' The letter being duly sealed, was delivered to the Tseetkai and Tsaye and with 500 followers they set off with Bauzalee to the camp of General Erskine. Arrived there, General Erskine received them properly and supplied them with all requisite provisions, and said to them, ' If you have brought a letter from the Burmese General, give it to me.' They said, ' It is not the custom of Rulers of Countries and Noblemen to give up letters or to negotiate except to such persons as are duly empowered to negotiate. You ask for the letter which has been given to us by our General, who has been empowered by our great king, but you cannot take such letter unless you are empowered as our General is. If you are not so empowered, then we will go to the Bengal Calcutta Goomanee, the person to whom the country of the Hindoos has been handed over by the king of Beelat.' Erskine then said, ' I am duly empowered by the Bengal Goomanee, who is appointed by the king of Beelat, and I have authority in great matters and small.' They said, ' Show us your

credentials, if what you say of having the requisite authority be true.' The English General Erskine gave them his credentials, and they then gave him the letter from Let-ya-shoay-doung. When the letter was translated from the Burmese language and General Erskine saw it was to demand the rebels, in order that the friendship between the countries should not be broken, he said, ' wait 40 days and let me examine and enquire whether it is customary to give up persons who have fled for the safety of their lives.' They replied, " we can show you that it is not customary to give protection to persons who raise up enmity between two countries, each possessing large armies; will you give us a written promise that if we show you that it is not customary, you will give up the rebels?" General Erskine gave them a written promise to that effect, and the Tseetkai and Tsaye having got this all settled, said—' In the country of Hindustan, which you English now hold, the younger brother of the Nabob of Lucknow, named Vizir Ally, revolted against the Bengal Goomanee. The Goomanee appointed Col. Makeng, General, when Vizir Ally was defeated and fled to Lahore in the country of the Sikhs. Col. Makeng pursued him, and halting at Pendaboun, sent an envoy with a letter to the ruler of Lahore, demanding him, who said—' Vizir Ally is not a person who has removed into my country for his pleasure, but one who has stirred up enmity and rebellion in his own country, and taken refuge here; it is not right to go to war on such account,' and he gave up Vizir Ally to Col. Makeng, (probably Macan.) He was placed in confinement and died a year afterwards. The circumstances are known throughout Hindustan, and prove that the ruler of England knows the custom in such cases.' General Erskine said—' wait four days that I may examine our books to see if this custom is there recorded.' At the end of four days, he said, ' our books confirm what you say about this custom. If I give up the three rebels, let me have a writing from you to say that there will be no more fighting and that the affair is settled.' The Tseetkai and the Tsaye gave General Erskine a writing to that effect, and General Erskine delivered up the rebels to them, in irons, with whom they returned, when the Burmese General seeing the affair settled, collected all his troops and marched back. Arrived at Arracan, the prisoners were delivered to a Tseetkai for transmission to the Golden Feet; but on the way one of them escaped. The other two were put to death, and the Tseetkai was punished for neglect of duty. All the commanders and negotiators in this business were variously rewarded." And thus ends the first part of this book.—*Maulmain Chronicle August 25.*

BORNEO PROPER.

A friend has kindly sent us the particulars published below, relative to Borneo Proper, extracted from a journal kept by the writer when there on a visit in 1837; and at a time when the detention of the Sultana's Crew and Passengers, and the expected despatch of a Steamer for their relief, confers some interest upon the place, they will no doubt be acceptable to our readers. No further intelligence has been received since our last of the prahu in which the mate of the Sultana, whose letter we published last week, and Mr and Miss DESOUZA had left. The Steamer Diana is, however, expected to arrive in the course of to-morrow from Penang, and no time will be lost in despatching her to the Coast of Borneo for the relief of the sufferers. The following are the particulars above referred to:—

BORNEO PROPER, or Bruni, as it is called by the natives, is situated on a river of the same name, about ten miles from the Sea. The Malays, generally fond of building their houses over the water, have here indulged this propensity to an extent rather remarkable, as all the houses of the town, which has a population of ten or fifteen thousand, are built in this way. We have had a good opportunity of becoming acquainted with the natives, and particularly with the chiefs, as we have been living three weeks in the Sultan's astana or palace, which is the daily resort of the multitude, high and low. Astana is a sufficiently high sounding name for an atap house, differing from the other houses only in its greater size. The Sultan is a weak man and a mere puppet in the government. Pangeran Muda Hasim is virtually the ruler. The word pangeran is a designation of high birth applied to some hundreds of persons of the Chief families. The government, in theory, is a pure despotism, all power being supposed to reside in the Sultan; but in practice it is a feudal aristocracy, the power of the sultan and of each of the nobles depending upon personal ability, number of dependents and slaves, and amount of wealth. In theory the government is hereditary also, but only partially so in fact. Much depends upon the qualifications and popularity of the different aspirants to the sovereignty. We were told that in the event of the present Sultan's death Hasim would probably be his successor, although there are five persons whose claims on the ground of inheritance would stand before him, viz, two sons of the Sultan, two brothers, and Yusuf, the Sultan's uncle by the father's side, Hasim being his uncle on the mother's side. There seems to be nothing like a regular tax for the support of government. The Sultan is supported partly by voluntary tribute, which is probably very small, partly by the privilege

which he possesses, of calling upon all persons for any labour or service he may require, partly by the labour of his own slaves, and partly by traffic. The pangerans support themselves by traffic, and the labor of their slaves and dependents.

The territory over which the Sultan claims and exercises control, extends from the north end of the island to the district of Sambas, a distance of 500 miles, his authority being confined mostly to the coast. The interior is possessed by tribes of Muruts, the same people that are called in other parts of the island Dayaks. Formerly the territory of Bruni extended around, on the Eastern side of the island, into the Straits of Makassar, embracing half the coast of the whole island. The eastern coast was long since ceded to Sulu, and by Sulu to the English. Questions respecting the origin of the people of Bruni have been often proposed to the better informed among them, and the reply uniformly received has been, that the Brunians came from Johore. They further say that from Menangkabau was the parent country of their race; that Menangkabau from the Malays emigrated to Johore, thence to Malacca, Rhio, Linga and Bruni, and from Bruni to Sambas and Matun. The time of this emigration we have no means of ascertaining, except from the number of rajahs whom they reckon. According to one of the most intelligent pangerans, the number of rajahs who have reigned in Bruni is twenty-nine. Another pangeran makes the number twenty-four and others thirty. Allowing fifteen years for a reign, which is probably sufficient in a government like this, we shall be carried back to about the year 1,400 as the period when the Malays established themselves here. A large proportion of the inhabitants are slaves. Many of these slaves have been purchased from the Illanun pirates. Others have been reduced to slavery in consequence of debt or crime. Piracy does not exist here now; at least the subjects of the Sultan, strictly so called, are not allowed to engage in piracy. The port, however, is open to pirates, who come here to dispose of their booty, and to obtain their supplies. Under the last Sultan it was notorious for piracy. The present government have adopted a different policy, partly from fear of the European powers, and partly, probably, from a persuasion on the part of Hassim at least, that commerce in the long run is more profitable. The very name of Singapore is a salutary restraint upon the Brunians. The terrors of piracy, however, are still in their minds. The manner in which pirates are treated and spoken of is proof of this. The commerce of Bruni is carried on chiefly with Singapore and employs forty or fifty prahus. Besides the prahus, a country or a European vessel is occasionally seen here. Chinese junks have long since forsaken the port, and there are only thirty or forty Chinese living here, who are poor and engaged in agriculture. The principal article of export is pepper. The quantity annually furnished is said to be about 4,000 piculs only. Camphor of the best

quality is obtained to the amount of a few piculs. The articles imported are cotton goods, silks, brass-wire, brass-plates, iron, iron cooking-utensils, &c. Opium is prohibited. All business is carried on by barter. Our vessel was supplied with dollars, but no use could be made of them in trading. Pieces of iron are employed as coin in buying articles of small value. A dollar is equivalent to about 30 or 40 of these Lycurgan coins. Ten dollars would be a heavy load for a man. The small traffic of the market is chiefly in the hands of women, who meet together in their little canoes (gobungs) sometimes in one part of the town and sometimes in another. Comparing the statements of Leyden, Hamilton, Hunt, and others, with the present condition of Bruni, it would appear that commerce here has greatly declined during the last half century. This would be the necessary result of such a government as that of the father of the present Sultan, who was a tyrant to his own subjects and a robber to strangers. According to Foster, as quoted by Leyden, there were seven Amoy junks at Bruni in 1775. The Brunians exhibit some skill in manufactures. They succeed well in filagree work. Their Krissees are elegant and of superior temper. They make sarongs of great beauty; but the article of most extensive manufacture, is brass cannon. In agriculture, if we may judge from the specimens we have seen (and our opportunities of observation so far as respects the vicinity of the town, have not been limited) the people of Bruni are very deficient. It is, indeed, not easy to understand whence the fifteen or twenty thousand inhabitants of the town and its neighbourhood derive their food—certainly not from the country in the immediate vicinity. Rice is brought from other parts of the kingdom, and is rather dear, being from two to three dollars a picul.

In one of our rambles we had the good fortune to discover coal on the banks and in the bed of the small river Kianggi, which falls into the Borneo river. The master of our vessel afterwards informed us, that he had found coal on Pulau Chermin, a small island in the mouth of Borneo river. This fact may hereafter come to be a matter of importance not only to Bruni but to the Indian Archipelago.—*Singapore Free Press, August 19.*

JOURNAL OF A TOUR TO MANDOUR AND LANDAK.

Thursday, April 23rd, 1841—Left home this afternoon on a Tour up the Landak river and its principal tributary, the Mandour, designing, after reaching the Chinese settlement of the same name on the latter stream, to travel by land to Landak, visit, if practicable, some of the large Dyak

settlements beyond, and return by the Landak river to Pontianak. The Landak branch, whose junction with the Kapwas forms the Pontianak or Lewa river, and at whose confluence the town of Pontianak is situated, is here a fine stream not less than one hundred and forty yards in width.

About one mile from the town we passed the mouth of a small stream called Sungei Malay. It is of very dark color. In the driest season, when the Pontianak river is lower, its waters become sensibly brackish. At this time the inhabitants of Pontianak send to this place for fresh water. A little distance farther up, on the right, the river Embawang, nearly half as large as the Landak, discharges its tributary waters into the main stream. The next object claiming attention, rather, however, from a legend connected with it than from any intrinsic qualities, is a small island in the stream, about three fourths of a mile in length, but very narrow, and covered with jungle and forest. The Malays say it floated down the river in one day from Landak, and here became stationary in the middle of the stream. Hence its name floating Island. After we lost sight of the last dwelling in the Bugis Kampong at Pontianak, we saw no other human habitation until near sun set, when we reached the mouth of the Mandoor river. Here is a single dwelling, inhabited by three or four Chinamen, stationed here, by the authorities of Mandoor, to guard the river. The house is surrounded by a high plank fence, within which are planted two small brass swivels. All boats going up and down the river are required to show regular passes; those ascending, from a Captain Chinaman in Pontianak, to whom is entrusted all business connected with Mandoor, and those descending, from the authorities at Mandoor. The guard receives for his services a salary of eight rupees a month. He has authority, it is said, to fire upon those who presume to pass without stopping. As our boat was much crowded, and too small for a sleeping place, we took up our lodgings with the Chinamen on shore. Some Chinese boatmen, who came up soon after our arrival, were our fellow lodgers.

The course of the Landak at this place is from the north east, and its average width thus far has varied little from one hundred and thirty yards. The course of the Mandoor where it falls into the Landak, is from the north.

April 24—Early this morning, before we left our lodging place, a boat from Mandoor arrived. Among those who came on shore was an aged blind man. Although his situation gave him an indubitable claim upon the sympathy of his fellow travellers, even had there been no ties of kindred or country to bind them together, they seemed but little disposed to lend him a helping hand, and at one time the poor man was on the point of falling into the river, from the apathy and carelessness of his companions.

The combined force of precept and example was barely sufficient to induce them to lend him a little assistance in getting off the boat, after which he was left to grope his way alone into the house. The Chinese make benevolence one of the cardinal virtues, and are loud in its praise; filial piety, too, and the rendering of proper respect to the aged, are much insisted upon by all their moral writers; yet, in their daily practice, how lamentably deficient are they in all these respects. How true is it that there is no true benevolence apart from the gospel; no filial piety worthy the name, which is not based upon evangelical principles. Leaving two Chinese tracts with our host, we started between five and six o'clock up the Mandoor branch. This stream at its mouth is between fifty and sixty yards in width. About three hours more brought us to Kwala Trap, the mouth of a small stream that empties itself into the Mandoor. This creek, which a little above its mouth takes the name of Semata, flows from the north east. On its banks, some distance in the interior, are many settlements of Dyaks. Here is another Kubu or guard-house kept by an old man and his son, to whom we showed the letter we had brought from the Captain Chinaman at Pontianak. These men certainly lead what to us seems a most cheerless and solitary life. To domestic and social enjoyments they are strangers. Their nearest neighbours cannot be reached in less than two or three hours. Leaving Kwala Trap the river grows narrower—the average width after this being not more than twenty yards. At 4 P. M. Arrived at Koping. Although at so early an hour we soon made up our minds to spend the night here. There is no other human habitation between this and Mandoor, which is five or six hours distant; while the river is so winding, its current so rapid, and the navigation so obstructed, that it is quite impossible to ascend it at night. Here are two or three Chinese dwellings, one of which is fortified and serves as a guard house. Here also we were required to show our passes. A small custom or toll is generally demanded from passing boats. The long line of swampy shore along which we have passed, since leaving Pontianak, is here first agreeably relieved by rising grounds. Following the course of a path that led inland, back of the dwelling, we walked to the distance of about half a mile. The soil of the surface is a light sand, but the appearance of the herbage and trees indicated fertility. There is an old pottery here, in which earthenware similar to that which is imported from China, was formerly manufactured. But the potter has returned to China, and his art has gone with him. A number of vessels of evidently very fine material—a beautiful white clay—stand unfinished.

Our host complaining of indisposition we gave him medicine. His invitation to drink arrack with him we declined, on the ground of our temperance principles. Though obliged to admit the humbling truth that

"white men do drink ardent spirits," we availed ourselves of this opportunity to give him some account of the extent and growth of the good cause in our native land.

Having spoken of a former visit from missionaries who left with them Chinese books (probable referring to the call of the brethren Doty and Pohlman on their way from Mandoor last year) we informed him that we had similar books and presented him with two.* He took them, put on his spectacles and immediately began to read. He was still similarly employed when we retired to rest. As far as familiar acquaintance with the Chinese character and the power of bestowing on each its proper tone is concerned, this man was certainly a very good reader. How far he understands the contents of the book he is reading is another point.

April 25.—When we arose this morning we found the Chinaman again diligently employed with the pages of his Chinese tract. Such assiduity is, to say the least, pleasing and encouraging. Immediately after leaving Koping, we found the river so narrow, and the way so intercepted by overhanging branches, as to make it evident that the taking off of our Kajang shutter before we left, was a wise and even necessary precautionary measure. The dense shade of the heavy forest, which lined the stream made us feel its absence less, though the heat after eight o'clock was intense. We had now, too, a more full view of surrounding objects, which was agreeable although there was little of variety, and nothing of the sublime and picturesque in the adjacent scenery; passing, as we are, through an unbroken line of low woodland. So fond is man of freedom in every form, and so ill does he brook whatever abridges it, that there is pleasure in the exercise of the power of seeing even where there is nothing to be seen. This morning's ride, however, was not wholly devoid of interest. We were much amused and diverted by the monkeys, which were playing on the trees along the bank of the stream. There were some of a large yellow species, and others of a darker color and smaller size. The former were most numerous. On the branches of one tall tree we counted some five or six of these animals. Some were sitting quietly, and, as though they felt themselves at home in this solitude, at their ease; others were springing with their accustomed agility from branch to branch. Monkeys abound in these forests and towards evening the natives say they assemble in great numbers on the borders of the streams. We saw some yesterday and the day before on trees skirting the Landak and Mandoor rivers. There are said to be at least twenty different species on this island.

The stream, soon after leaving Koping, became so narrow and winding, and the current so rapid;—that, notwithstanding our boat is

light, and short, and propelled by paddles, all of which are advantages in such a situation, it required no little watchfulness, and application of skill and strength, to make any progress. The traveller naturally asks, why do not the people of Mandoor, who are so deeply interested in this matter, shorten the way, and remove some of the numerous obstacles which now impede the navigation of the stream? A little labor would thus be productive of most beneficial results to the travelling community in this part of the world. But so far are they from desiring this, that it is a matter of studied policy with them to keep the stream in such a condition that it is just passable for their boats. Their settlement is thus rendered a little more difficult of access, in this direction. They, therefore, toil on cheerfully, submitting to much inconvenience, drudgery, and delay for the sake of greater security. Similar reasons, it is said, have hitherto operated against the construction of a road, or rather path, direct from Pontianak to Mandoor. This would bring the two places much nearer together, and greatly facilitate intercourse between them. We have reason to believe that a journey which now generally requires two days by water, might, thus, be performed by land in less than one.

A short time before we reached Mandoor some elevated cleared land was seen on the right, and the ground, as we approached, became still more agreeably diversified with hill and valley. Near the bottom of the hills, Chinese tombs, with their semicircular white fronts, were seen in great numbers. Among the first buildings we passed, was one of those humble temples of science and literature in which the Chinese pedagogue employs his time in teaching the young idea how to shoot. It was the hour of recess, and the very buoyant feelings with which this season is generally hailed, were now evidently raised to the highest pitch by the sight of two "red haired men" as they most inaptly styled us. Some continued their pranks along the banks of the stream, others ran on, and probably became to the inhabitants of the town the heralds of our arrival. We continued up the river some distance, and after passing under a foot-bridge which crosses it, drew to shore, took our papers, and proceeded to the great Kong Le (as it is called) of Mandoor. The principal Captain or Kapti was not at home. His Secretary informed us that it was then a season of peculiar religious observances, and that he with other of the Chinese chief men were absent, drinking arrack in honor of the Gods! When the Kapti arrived, with two inferior Captains, we met with a most cordial reception. Our pass and private letter from the Captain Chinaman at Pontianak having been presented, and read, we were invited to take a seat at the hall table; where fruits and preserves brought from China, and a dish of the pumalo or shaddock, of which a most delicious species is cultivated here, were set before us. Our host

and his companions seemed exceedingly social, kind, and hospitable, and a small building within the yard of the Kong Le was assigned to us for our special use, while we remained in this place. Here we were soon made to feel ourselves quite at home by the kindness and hospitality of the Kapti.

Mandoor is in a northern direction from Pontianak, about thirty-five or forty miles in a direct line and probably sixty or seventy by water. The town is principally on the left bank of the stream which is not navigable beyond this place. In the town there are, according to the Kapti, about two thousand inhabitants, and in the vicinity, working the mines, and engaged in other avocations, between one and two thousand more. All the Chinese within the Kongse-ship of Mandoor, which includes all in residency of Pontianak—embracing the minor Kongse-ship on the Kapwas and Landak rivers—and the Chinese of Menpawa, and the sea coast between that place and the mouth of the Pontianak river;—amount probably to between twelve and fifteen thousand. The situation of Mandoor is certainly very pleasant. The ground in the immediate vicinity is beautifully diversified with low hills and valleys, while in the back ground, particularly to the north and west, higher prominences arise. In the intervening spaces between the hills are seen in every direction small pools and clear running streams, and here and there, yellow and white spots shows where the miner's hand has been at work. The soil is much of the same character as that already described on the Kapwas. The small, cultivated patches in the vicinity, in which the egg plant and sweet potato grow, give evidence of fertility, and prove that if the inhabitants would be content to seek their wealth by digging up the earth's surface, instead of seeking it much deeper, their gains would be more constant and certain. But so engrossed are they with mining operations that but a small portion of the land is cultivated, and thousands of acres that would well repay the labourer's toil, lie from year to year covered with grass and bushes. We noticed some rather singular appearance in the soil of the neighbourhood. Some spots that appeared at first like rocky formations proved, on closer inspection, to be clay just in the process of induration. We noticed one little ravine where the rains had washed away the looser sand leaving the clay, which by its extreme tenacity adheres together, standing in the form of small upright columns.

The Dutch formerly had a fort and garrison in this place, which were abandoned on account of the expense attending the establishment, while it was thought to be of little utility. The inhabitants of Mandoor do not pay to the Dutch authorities the poll tax usual in other places, but have agreed to pay the round sum of four thousands rupees annually, which exempts

them from this, and every other species of taxation. They are governed by their own laws, and seen to be, and feel, quite independent.

• This is an extensive gold-mining district. The mines in the vicinity are of various sizes. In the largest between two and three hundred workmen are employed, and it is said to yield two hundred bungkals of gold per year; the second in size yielding, it is said, one hundred and twenty, or thirty bungkals. We visited the latter in company with the Secretary of the Kapti. Stopping for a few moments at the Kong-se before we reached the mines, we were requested to leave our umbrellas. The carrying of them in the neighbourhood of the spot where they are digging is considered by the Chinese most unpropitious, and unfavourable to success. We willingly yielded the point, deeming it better to suffer temporary inconvenience, than unnecessarily to offend their prejudices. One hundred miners, we were informed, belonged to this mine. We did not however count more than sixty at this time. We did not descend into the mine, as our guide, we know not on what account, rather seemed unwilling we should. The workmen were engaged in the preparatory work of removing the earth on the top, and had not yet reached the gold stratum. The excavations here are rather deeper than in the mines we visited on the Kapwas, but the soil, except the surface, which is a black mould, has nearly the same appearance. The water which has settled in the excavations is raised by means of long claims of wooden elevators attached to a small water wheel, which is turned by the stream above. By this means the water is raised from its bed, forced up an inclined plane, and poured out into a trench above. This kind of machinery is common among the Chinese. We had previously seen it at work in the tin mines of Banca. Their lands are watered often in the same way. When there is no water power to propel it, the machinery is worked on the tread mill principle. The mines in this vicinity are said not to be as productive as formerly.

The Chinese here appear to be as much given up to the intemperate indulgence of appetite, as in any other part of the Archipelago, perhaps more so. Multitudes of them smoke opium to excess, and, perhaps, few can be found who have arrived at years of discretion, who are not to some extent addicted to its use. Shame, or fear of detection, or public opinion, or all these causes combined, place the smoking and chewing of this pernicious drug in most parts of the world among those deeds of darkness which are done in secret; but here the opium pipes lay upon the Kapti's table, while he and his Chinese guests did not hesitate to make the most free and liberal use of it even in our presence. The old man is said to consume as much as two dollars worth every twenty four hours. His faculties, both of body and mind, have evidently been much impaired by it. Another

of the chief men gave abundant evidence, by his red and bloated visage, that he drank intoxicating liquors to excess. The liquor chiefly drank here is distilled from rice and juice of the sugar-cane. We think it possesses less of the intoxicating property than the different varieties of ardent spirits of American and European manufacture. If it be not so, we can give no satisfactory reason for the fact that so little of the usual effect of intoxicating drinks is seen among a people with whom the use is so very common. At their social and convivial entertainments, during seasons of public festivity, and even in religious rites performed in honor of the Gods, the inebriating cup must not be forgotten. Scarce a marriage can be solemnized or even a body laid in its last resting place without it. On some occasions almost all the Chinese inhabitants of a town turn out en masse to drink arrack, and old and young of both sexes partake freely of it. Many use it at their meals and dip their food, particularly their pork, in it.

They are evidently well convinced of the evil of the use of opium, and we have frequently been asked if we have not medicine which would destroy all craving for it. This seems to be their only hope, for it does not enter into their minds, that they have the power, at any time, to discontinue its use. A vast amount of money is thus worse than thrown away in this place for this article. The prohibition of its introduction into China and a recent reduction in price have caused the importation of large quantities into the ports of this island, and the latter circumstance has put into the power of many of the poorer classes to obtain it, whose means before were inadequate. Thus the evil spreads.

After our return, as we were walking in the vicinity, a Chinese lad took us by the hand and hurried us into a dwelling which we were passing. It proved to be a manufactory, on a large scale, of paper images. Here were grotesque figures in great variety, and abundance. Bodies of the lower animals surmounted by human heads, and vice versa, circular groups of small images in various forms and attitudes being suspended from the ceiling. In the very dignified and rational employment of making these paper things were employed some eight or ten immortal beings. About fifteen days from this time, we have been informed, there is to be a great day in honor of the Gods, when these paper images are to be carried in procession, and other rites observed, with the hope of conciliating the duties they worship, and securing to themselves success in their various avocations. A prominent trait in Chinese idolatry is extreme childishness.

The old Kapti has called in several times during the course of the afternoon, to see if we have all things comfortable in our room, and by a variety of attentions, has shown himself no stranger to the exercise of the rites of hospitality.

April 26 —Sabbath—Although much of this was necessarily spent in a crowd (for the inquisitive Chinese would not leave us to our retirement) it was not without its enjoyments, and we trust not without profit to others. About midday thirty five or forty volumes of Chinese tracts were taken out into the market place, and were there soon distributed to applicants without leaving the table on which the books were first placed. The remainder of our stock (excepting a few which we thought best to retain and take with us to Landak, and which consequently we were obliged to hide) was exhausted in answering the request of applicants at the room. Had we brought with us many more we might have given them away within doors. After the supply designed for this place was exhausted, many came with their requests, and heard the announcement that there were no more to bestow apparently with much regret—we were struck with the fact that almost all who entered appeared to be readers. Many gave most unequivocal proofs of it by reading pages of the books in our presence. On the whole it was encouraging to see the spirit with which the tracts were received. As this is purely a Chinese settlement, without any intermixture of Malays or other foreigners, there was no opportunity to distribute any other than Chinese books.

April 27.—As we were about leaving Mandoor this morning the Captains came in with their presents of fowls and fruits. Having made all necessary preparations we set out on our overland journey this morning, about eight o'clock. Our train consisted of the grandson of the old Kapti as our guide, three Malay men of those who came with us from Pontianak, and three Dayaks to carry the heaviest of our baggage. These men being accustomed to carry burdens set about their work like practised porters, and men who know well the nature of the ground they have to travel over. The burden being fitted to the back is kept in its place and supported by bands, in this case of bark, two of which pass over the shoulders and back under the arms—and a third around the forehead. We crossed the Mandoor creek and commenced our journey over the hills in a north-easterly direction. Our way today lay over small hills covered with lalang grass, or through well timbered forests. The soil much the same as in the immediate vicinity of Mandoor. We passed in sight of many excavations for mining, some apparently quite antient, others more recent, but did not see that any where mining operations were going on. We also passed several paths which were said by our guide to lead to mines at a little distance.

About noon, suddenly emerging from the wood, we saw before us a beautiful and spacious amphitheatre of hills. The slightly undulating surface of the foreground was covered with a deep green while here and there arose a small cluster of trees. All around, in the form of a semicircle,

the hills arose gradually until the sight was bounded by their distant summits. The view was very beautiful even now, but we could not help thinking what additional charms, the hand of cultivation and art would give to the scene. At present, except in the immediate vicinity of some Chinese dwellings, where small spots have been reclaimed from its dominion by dint of hard labour, the lalang grass, that universal usurper, holds possession of all the cleared spots. This grass, before it blossoms, so nearly resembles wheat before earing, and the cleared undulating country over which we passed was so completely covered with it, that we were oftentimes reminded of scenes in our native land.

Before noon we met some twenty or thirty Dayaks with their bark baskets on their backs. They belong to the jurisdiction of Mandoor and were bearing their annual asil (tax) to the Kongsee. The value of their annual tribute, which is paid in paddy, is about seventy five cents.

Just before noon we passed through a small settlement called Ma me and a few minutes after reached a Chinese dwelling, the usual dining place of the first half day from Mandoor. The delays caused by waiting for baggage, our cook to prepare our mid-day meal, and the calling of an additional Dyak coolie, detained us until four o'clock P M. Passing on from this place, as our way lay through a forest, we were again entertained with the pranks of monkeys. Between five and six o'clock arrived at Po Eng, the name given to a spot where there are a few Chinese dwellings. In one of these we took up our lodgings for the night. Found our Chinese host exceedingly attentively and ready to meet our wants.

As the Kampong of our Dyak coolies is in this neighbourhood, we are obliged to settle with and dismiss them with the expectation of procuring others on the morrow ; or rather our host has promised to do it for us ; but we cannot prevail upon him to do it to night, and thus we shall be prevented from being on our way to-morrow morning at so early an hour as is desirable when travelling in a tropical climate. The Dyak coolies taken from one Kampong only bear their burdens to the vicinity of the next, when they return home and new men must be employed subject to the same regulation. This is frequently the cause of much delay and anxiety to the traveller. Foreseeing this the old Kapti of Mandoor, who kindly interested himself, and rendered us much assistance in our preparatory arrangements, called to the Dyak coolies and used many arguments to induce them to make an exception in our favour, and carry our baggage through to Landak ; but all in vain. We tried what virtue there was in considerations of pecuniary gain, but the attempt was equally fruitless. Owing to causes already mentioned we travelled but six hours to day. Our course has been nearly North East and the distance travelled

over probably about twenty miles. Passed some low mountains to day, the height probably not exceeding four or five hundred feet. Have seen some fifteen or twenty Chinese dwellings since leaving Mandoor this morning, but not one Malay habitation.

April 28.—Although we awoke very early this morning we found it quite impossible to get an early start on our way. The calling of our new coolies detained us two hours. While thus detained we witnessed what was most grateful to our feelings. Our Chinese host having been presented with a book last evening, brought it out early this morning and, taking a seat before the door, began to read. He seems to prize the gift. The dilatory movements of our expected coolies called forth rather a stern looking man, who, whip in hand, was proceeding to meet and chastize them for their tardiness. We lifted up our voices against this measure, as we conceived we had a peculiar right to do, from the fact that the tempest threatening to burst upon the heads of the poor Dyaks was rising on our account. Happily their sudden appearance in a bend of the path saved them the pain of the punishment and ourselves the pain of seeing it inflicted. Such is the condition of these ill fated aborigines, doomed to the drudgery of beasts of burden by their Chinese and Malay masters, and driven on to labor by the scourge.

About two hours after leaving Po Eng we reached Sin Kang—a Chinese settlement. About twenty five dwellings are scattered along on each side of a clear running stream that winds its way through a beautiful valley of apparently rich soil. The prospect at a little distance on each side is diversified by hills of conical shape, rising to a height varying from two to five hundred feet. The valley, as is usual with cleared land here is, for the most part, covered withalang grass, interspersed here and there with neatly cultivated patches of garden vegetables, and small plots of paddy ground. We noticed also two or three species of tropical fruit trees of luxuriant growth, and bending under the weight of their fruits—The jambu ayer tree, whose fruits, just arrived at maturity, were of a bright red color, presented a beautiful appearance. Our meandering path led us also under noble pumpleno trees, whose large fruits looked very fine. One hour's walk from this place brought us to Katengar, a small settlement of five or six Chinese dwellings, situated at the head of this pleasant little valley. Here we stopped a few moments to rest and refresh ourselves with fruits—the water jambu, guava, and pumpleno. These fruits were all very fine of their kind, and to us, wearied and heated in our journey, they were peculiarly agreeable.

After leaving Katengar our way for some distance lay through a ravine between two mountains four or five hundred feet in height, covered

with a heavy forest. We followed here the course of a chrystal stream which wound along between these hills. So exceedingly serpentine was its course that we were obliged to cross and recross several times in quick succession; at one time on loose rocks, at another by fording. Sometimes for a long distance we had no other road but its rough bed where, stepping and leaping from stone to stone, we made our way as best we could. Here rocks and stones are found in much greater abundance than in any other place we have yet seen on the island. On each side of our path this morning bamboo is seen in a abundance, but rather of a dwarf species.

About noon arrived at Sampas. Here are two Chinese buildings, considered, however, we believe, as a single Chinese establishment, on the banks of a small stream. They are most rudely constructed of bamboo and round poles and thatched with lalang grass. That part where mats were first spread for us, appeared to have been newly erected, but the building on the opposite side, whither our baggage was carried, seemed only to hang together. It seemed to us passing strange that such a tottering concern should be considered tenatable. As the rain began to fall soon after our arrival, and Dyak coolies had as usual to be obtained from a distance, we were obliged to consider this our lodging place. The chief of the establishment, an old Chinaman who, by virtue of a commission from the Kapiti of Mandoor, exercises authority over the Dyaks in this vicinity, was not at home when we first came up, but arrived soon afterwards. We found him an eccentric being. Soon after his arrival he announced with much ceremony and many words the fact that he had ordered a small swivel to be brought and that preparations were being made to give us a salute of three guns—adding at the same time in that flattering air, with which the Chinese are so familiar, that a Dutch commissary who had formerly visited the place was honoured with only two!

April 29.—Having committed ourselves to the care of our Heavenly Father, we enjoyed undisturbed and quite rest in the open shed where our bedding was last night spread. After we had received from the old Mandore (as he was familiarly styled) another salute of two guns, we left Sampas. The old Chinaman who had heaped upon us such honours, on our departure accompanied us as our guide. The young man who has hitherto acted in that capacity, being less acquainted with the road from this onward, is to return after reaching the next stage. Our road from Sampas onward we found much worse than for the two days preceding. At one time the way lay over mountain ridges and hills, which we ascended and descended by a precipitous flight of natural steps formed by the roots of trees or holes worn by the feet in the soil itself, which answered the same purpose; at other times we crossed valley and marshy flats where our only bridges were of the very rudest and most economical kind, being formed of two slender poles, two or three inches

in diameter laid side by side. On these, often rendered slippery by the dews of the morning or recent rains, we were obliged to walk for a considerable distance. The traveller who entirely escapes falls and accidents, must possess the skill of a rope dancer in balancing himself, and tread with the greatest caution. The mountain streams and ravines are generally crossed by a single round log felled across them.

On some of the side hills we saw this morning Dyak huts and rice fields. The rice cultivated by the Dyaks is generally what is denominated aplan rice, being raised without artificial irrigation. The mode of sowing or rather planting is exceedingly simple. After the clearing has been made small holes are made in the earth by a pointed stick a few inches apart, into which the rice is cast by hand. High mountains were this morning visible giving to the landscape something of the romantic and sublime. About ten o'clock we crossed two small streams, the Singa and its branch the Perabi, which join a little distance below. After the junction the river retains the name of Singa and empties itself into the Landak about a day from their confluence. Both streams are navigable for small boats one day up from Perabi. In this place are two Malay dwellings (the first we have seen since leaving Mandoor) and one Chinese. Stopping for a few moments at one of the Malay dwellings, we were most kindly received by its owner, who entertained us with green coconuts from a tree in front of his dwelling. We had here again an opportunity to tell something of our occupation and object in visiting these places, in answer to inquiries proposed to us on these subjects. At noon, from an eminence, we had a delightful view of a valley several miles in extent nearly surrounded by mountains, some of which had been cleared by the Dyaks nearly to their summits. About 1 P. M. we arrived, nearly overcome by the heat, at Sabu, a small Chinese settlement. Peculiarly grateful, therefore, to us, at this time, was the usual beverage of tea, accompanied by pumplenos and some fine oranges, which were set before us almost as soon as we were seated. The distance from this place to Landak, which it will require seven or eight hours to reach, and the delay necessarily attendant upon the procuring of fresh coolies, obliged us to put up at this place for the night. Here are some Chinese dwellings, pleasantly situated in a small valley with a pure stream of water flowing through it. This latter is an important consideration in this land of heat, where frequent ablutions are not only conducive to comfort, but quite indispensable to health.

A gold mine, belonging to the Kong-see of Mandoor, formerly drew a number of Chinese here; but not yielding the profits anticipated, all the hands employed, with the exception of one or two men, who have charge of the tools, &c., have left to seek for other spots more rich in the precious metal. We found our host again on this occasion very obliging. A hog

was killed, if not for our special benefit, at least with reference to us, and our cook was told to select such parts as he thought would be acceptable and prepare them for us. And here, in passing, we would observe, that the Chinese are by no means Grahamites. They are carnivorous to an extent perhaps unequalled by any other race of men, and some of them seem to know no distinction of clean and unclean, among the lower animals. We have often, since our arrival on this island (Borneo), seen individuals of the canine and feline races evidently destined to minister to the appetite of some of the sons and daughters of Han—the little victims either vainly struggling to rid themselves of their death fetters, or being in the course of preparation for the culinary process. Swines flesh, of which they are peculiarly fond, is here frequently seen three times a day upon the table—at morning, noon, and night.

The keepers of all the lodging and eating houses between Mandoor and this place, we have found uniformly kind and obliging. And though we have offered them some compensation because we considered it their due, it has been uniformly declined and in some cases utterly refused. Two men in this place having ascertained that we had brought with us some Chinese tracts, made application and received each a volume.

Thursday April 30.—Left Sabu this morning at half past five o'clock previous to the arrival of our fresh coolies, leaving it with our men to arrange matters with them. As the mornings here are refreshingly cool, and we can walk briskly forward with comfort, we have been extremely anxious not to lose the benefit of an early start, and be obliged to make up the deficiency of the morning's work, when a mid-day tropical sun is pouring down his burning rays. A short walk from Sabu brought us to a small Kampong of Dyaks, containing about eighty dwellings, and probably about four hundred inhabitants. It is situated a little distance from the main path and almost hidden by fruit and forest trees. Desirous to increase our acquaintance with their mode of living in their Kampong, we left the path and walked through their settlement. At the outer verge of the usual platform, running along in front of the dwellings, we noticed a species of atap-covered sheds, said to be used as grannaries. Having ascended to the platform, we walked from one end of the kampong to the other, under a small verandah directly in front of the doors and between them and the platform. The houses appeared large and well built for Dyak dwellings; but as the sight of approaching white strangers had caused a general withdrawal, and a closing of the doors, we could see nothing of their interior arrangement, or of the inhabitants. Even the head man had to be called before he made his appearance. He was covered with dust, for he had been engaged in cleaning his rice at the back of the dwelling. In the little verandah through which we passed we noticed but

little furniture. There were a few Dyak weapons, mats, and near each door a small trough, raised a few feet from the floor, in which the new thrashed rice is pounded, to free it from its husk.

The name of this kampong is Ladangan. Its inhabitants, as is the case with all the settlements between Pérabi and Landak, pay their tribute to the Penambahan of the latter place—while all between Perabi and Mandoor, it is said, carry their tax to the Kong-see. The Chinese obtained their authority by conquest a few years since. In their demands upon the time and labor of the Dyaks, however, they do not confine themselves to the limits of the tributary tribes, but extend their control to the very vicinity of Landak, calling out the natives from their kampong whenever they have any thing for them to do. The Malay sovereign of Landak does the same. How such a species of partnership can exist without frequent clashings, and how this people can serve two masters so diametrically opposite as are the Chinese and Malays in many respects, and who are not noted for their friendly feelings towards each other, seemed to us quite inexplicable. Our old guide informed us, that the Dyaks obey the call of the Kap-ti far more readily than that of the Penambahan. While this is to be taken as the ex parte testimony of one much disposed to vanity and self-praise; the fact that they prefer the Chinese to the Malay rule, is asserted by many. We know too, that in settling the deadly feuds that exist among neighbouring tribes in this vicinity, no voice has more influence than that of the Kap-ti. Our guide has been issuing his commands to almost all the Dyaks we have seen since leaving Sambas, to cut away the grass, remove obstacles, and endeavour to make the road more passable, as the chief men of Mandoor are expected to pass this in a few days, when the paper images above spoken of, as in the process of preparation for a future festival, are to be carried through here in procession. For this labor they are rewarded by a few pounds of tobacco. After leaving the Dyak village we found our road increasingly mountainous and rugged, while the hand of art has done little to smooth the aspires of nature.

Since we left Mandoor we have passed many streams of pure running water, from which, during the day, the traveller may quench his thirst, and which furnish at all stopping places a refreshing bath. The Dyak coolies, when tired in their journey, stop and, disencumbering themselves of their burdens, plunge into these living waters. Having enjoyed for a few moments their refreshing coolness they pursue their way with renewed vigor. We have seen many such streams to day. The white pebbles in the beds of some are said to indicate the existence of diamonds. About nine o'clock we stopped on the banks of a stream of this description; multitudes of fish of a bright gold color were sporting in its transparent waters. Here we found a temporary shelter, which our worthy guide, the old Chinaman,

claims the merit of having erected for the convenience and accommodation of travellers. This "lodge for way-faring men" in this lonely wilderness is about midway between Sabu and Landak. As there is no dwelling in the direct route between the two places, and as the way has been unusually toilsome, its shelter was most acceptable. Our path all the morning lay through heavily timbered forests, in which we were often called to admire noble trees rising to a great height, free from branches. One in particular was pointed out to us as the largest in this region. It is familiarly called by the natives "the father of trees." The Chinaman called it the Korak. At six or seven feet from the ground the diameter of the trunk (which appears to be solid) is at least seven feet, at the height of fifteen feet probably six, and near the first branches, which are seventy feet from the ground, about five. Many other trees, three or four feet in diameter, have been seen near our path, on this as well as on the preceding days. After a most toilsome walk over hills and through marshes, we arrived about twelve o'clock at the house of the Panglima, the highest military officer under the Penambohan of Landak. He met us at the door in a most social manner, greeted us with a very cordial shake of the hand, and conducted us up a rude flight of stairs into his dwelling. At the further end of the large hall into which we were taken, was a raised platform, on which, having pressed us to be seated, he took his place on the floor below. We were struck with the rare combination (rare at least among these people) of unassuming modesty and genuine politeness, which this man exhibited. We were honored with the salute of two guns, and regaled with coffee, the product of the island. After resting a few moments, and after having bathed and changed our travelling garb, for one more suitable for our interview with the Penambahan, accompanied by the Panglima, we walked to the house of his majesty. This dwelling, enclosed by a high plank fence, is situated one hundred yards from the bank of the Landak river, and in the midst of the Malay settlement of the same name. Entering by a large gateway we were conducted into a hall, spacious, indeed, but possessing no other attribute of greatness. It is constructed much in the same way as the halls of the Malay princes already described. We were particularly struck with the absence of that cleanliness which, with common industry, may be found even in the cottage of poverty, and which we expect to see in the palaces of the great. The pillars that supported the roof, were smeared by the fingers of the serree chewers, and on them and every thing else around the dust of months if not of years had been suffered to accumulate and rest undisturbed. The cloth that covered the table, at which we were seated, had almost entirely lost its original whiteness. The Penambahan, previously apprized of our approach by some Dyaks, who had passed us at Sabu, was prepared to

receive us, which he did in a very kind and hospitable manner. His elevation to his present station he owes to a former Dutch Resident. He is a small man of dark complexion, and distinguished by dark lines under his eyes. Over his other dress, which was in plain Malay style, he wore a long outer garment of yellow color. This among this people is considered the regal color. None but those of royal blood presume to hoist a standard of this color. Garments in which this colour predominates, though not the exclusive, are the favorite dress of royalty, and calico of this kind is much prized by the members of the royal families. His fingers glittered with diamonds which he displayed with ostentatious care.

After the letters we brought had been presented, the conversation took a familiar turn on a variety of subjects, but the Penambahars seemed to be particularly fond of speaking on the dogmas of his religion. He appears to be a very rigid Mohammedan and generally after mentioning the name of the Prophet repeats the Arabic words "to whom be peace." He is more intelligent than most of the Malay princes we have met on the island, but still is very ignorant of the world. He asked many questions respecting America, and his queries naturally elicited much information with regard to our country, its size, population. &c., with which he and the others present seemed to be altogether unacquainted, and which excited no little surprize. He asked us, with apparent sincerity, whether gunpowder was made of Coffeestating, that he had heard this given as a reason why it continued to command so high a price. Having heard the names of the ingredients that compose it, he next inquired the proportions.

We stated to him our wish to go up the river a little further. He seemed disposed to assist us, but raised many difficulties respecting the way. The navigation of the river, he says, is rendered dangerous by the number of rocks and rapids to be passed, while the path on the river's bank is very bad. Having closed our interview with the Penambahan we went to the house of the Captain Chinaman in the Chinese Kampong. This Kampong, embracing some forty or fifty dwellings, is about $\frac{1}{2}$ a mile down the river from the Malay settlement. It discovers little of that activity by which the villages of this people are generally distinguished. What thus paralyzes the arm of industry in this place we cannot say; but that some powerful influence has been at work is evident in the listless looks and lazy movements of its citizens. Like many of the settlements of the Chinese on the Kapwas, it is said to be on the wane.

In the afternoon called upon the Gezaghebber of Landak. Though he is the nominal representative of the Dutch interests in this place, his authority seems to be but little regarded, and his influence limited. We mentioned to him our wish to go some distance into the interior beyond

Landak. His statements respecting the difficulties of ascending the river accorded with those of the Penambahan and were very discouraging. He at length told us that he would consult with the Captain respecting the distance we might go, and the places we might visit, as may be supposed was not altogether agreeable to us, as we conceived they were not the persons thus to dictate; but as remonstrance would evidently have been in vain, we submitted with as good a grace as possible.

Shortly after our return to the Chinese Kanpong, the Captain who had been sent for arrived. We found him a man prepossessing in appearance—somewhat retiring yet affable and hospitable in his manners—and rather more than usually intelligent and interesting in conversation. We were much rejoiced to hear that he forms an exception to the odious habit of smoking opium so common among his people. He asked many questions respecting our country and the countries of Europe. These we were glad to answer to the best of our ability. But were still more so to have an opportunity in answer to his queries to give to him and others who sat at the table some light on the subject of redemption by the blood of the cross.

May 1—This morning we took a walk through the Malay Kampong. It is situated on the left bank of the river. The houses are better built and more orderly disposed than those of any other Malay settlement we have visited. A raised and gravelled walk (the work of the Dutch) runs the whole length of the settlement. The number of inhabitants is probably seven or eight hundred, a few of whom are Bugis—the remainder are Malays. As we passed through the town we saw the process of polishing diamonds by means of very simple machinery. The mover of the machinery sits a few feet from an upright shaft, which he turns by means of a piece of wood that is attached to a crook in the shaft, thus operating as a kind of crank. From a horizontal wheel in this shaft, in form and size considerably resembling the larger wheel of a waggon, a band passes to another shaft at a few feet distance, which is supplied with a circular steel plate. The diamonds to be polished are firmly imbedded in pieces of iron so placed as to bring the exposed surface in contact with the upper surface of the plate, which, by its rapid revolutions, wears off the rough exterior and gradually gives a beautiful polish. By the steel plate the polisher sits to superintend and watch the progress of the work. There were four small diamonds at this time on the plate the combined value of which was stated at eighty Java rupees.

Waited until near noon to day to hear the decision of the Gezaghhebb and Captain Chinaman respecting our going farther up the river. They decide against it, giving as reasons the difficulties already referred to. To these

they add the hostile character of some of the Dyak tribes in this direction. Thus they were careful to hold out to us that a sincere regard to our welfare was the only motive that actuated them in this decision. That considerations of this kind may have had their influence we do not deny. The principal reason, however, which they took great pains to hide, we believe to have been a desire to conceal from the eye of strangers the rich gold and diamond mines, and the strength of the Dyak villages up the river. They, however, were willing that we should go to Parheatian, some twenty or twenty five miles from this place, where there are two or three gold mines worked by Chinese. One of these is considered as belonging to the Dutch, that government having advanced some twenty thousand rupees for opening it. We concluded that we would go to this place that we might obtain a better knowledge of the country and, if possible, visit some Dyak dwellings said to be in the neighbourhood. In the afternoon we went with the Captain to the place where he usually resides, a few miles down the river, at the mouth of a small stream called Kwala Pantu. This is the proper Kong Se of Landak.—*Singapore Free Press, July 1.*

(To be continued.)

THE BRITISH ON THE HINDOO-KOOSH.

I.—THE MARCH.

When Dost Mahommed Khan fled from his position at Urghundee, a party, under Major Outram, was sent in pursuit of the fugitive. The causes of the failure of the expedition have been fully detailed by major Outram, the leader. The dethroned monarch continued his flight to Kooloom, the seat of Government of the Wallee of that place, one of the most influential chiefs of Southern Toorkistan, and there he was received with the utmost cordiality. When this became known at Cabul, the envoy began to feel some anxiety as to the result of this favorable reception, for he rightly conjectured that the Dost, having found new friends in the North, might again raise his standard and render himself a dangerous neighbour, by becoming the nucleus for the disaffected, and by carrying on intrigues with the various turbulent tribes of the Afghan Empire. It, therefore, became an object of primary importance, to drive the Ex-ameer still farther from the country, of which he had been so lately the ruler, and in which he had as many friends as Shah Shoojaool-Moolk had enemies, that is nearly the whole population of Afghanistan, from Girishik to Peshawur, from Akrobat to Kurrachee. But the Minister and the General held different opinions; the former wished a brigade to advance upon Kooloom, but Sir John refused to comply, upon the principle of "let well alone," and urging the lateness of the season,

and the difficult nature of the country, through which our troops would have been obliged to advance. The result was the despatch of a smaller detachment, than at first proposed, to Bameean, with the hope that a demonstration might have the desired effect of driving the Ameer from Tash Koorghan. On the 12th September 1839, this detachment left Cabul; it consisted of a troop of native horse artillery, the Shah's 4th regiment of infantry, and a ressalah of Christie's horse; 800 Affghan horse under Abdoollah Khan, Abdool Ruheem, and Guddo Khan, afterwards joined the party.

"All's well that ends well," is an adage as old as the hills, but I think it a very unsafe maxim. It is certainly true that the result of this expedition across the Hindoo Koosh was ultimately eminently successful—yet that does not, in my opinion, justify the step. The detachment was sent without due consideration of the difficulties and dangers, to which it might have been exposed. It is a maxim in war, never to detach a weak body of troops beyond the reach of its supports, or to such a position whence retreat is impracticable. Bameean is situated beyond the great chain of Hindoo Koosh which forms a natural barrier between Cabul and the Northern hordes; for full six months in the year the passes leading across these mountains are impracticable for an army, while on the other hand, the roads leading from Bameean into Toorkistan are at all times open; thus the small detachment, placed 'mid the mountains of the Hindoo Koosh, was, during half the year, exposed to attack from numerous enemies, when no support could reach it from the southward. The march across the mountains is always one of extreme difficulty; a retreat, in presence of an enemy, would be impracticable, it would soon become a flight, and be attended with immense loss. On these accounts, I consider the detaching so small a body to such an insulated post, in a country, too, of which the resources were comparatively unknown, was hazardous in the extreme, yet Dost Mahommed's presence at Kooloom gave a reasonable cause of anxiety, and it was to prevent his again gathering head, that this demonstration was made. And, indeed, at first it had the desired effect; the ex-chief fled from his resting place; and it was not until after many months, that the small force, weakened still more by separation and the introduction of traitors, found itself in a situation critical and dangerous. Yes, all ended well; and the most important results ensued from the expedition of this small party, which had been for so many months, buried and nigh forgotten beyond the everlasting snows of the Koh-i-Baba. But I am anticipating.

The detachment marched on the 12th of September. I will not here record our daily progress and difficulties, but I must give some slight account of the country through which we marched. The city of Cabul is

situated in a kind of funnel between two rocky hills, of no great height, the valley on its western side is beautiful in the extreme; it is in shape nearly a circle, an amphitheatre having hills around; its circumference may be upwards of twenty miles, and its whole extent is covered with the most luxuriant orchards, gardens and fields, amidst which winds the river of Cabul. The view is certainly exceedingly pleasing, especially in spring and summer, when the rich verdure of the trees and fields contrasts strikingly with the brown of the arid hills around. Through this valley, the road continues for some 8 or 9 miles to Killah-i-Kazee, a small fort, after which the country gradually changes, and the orchards give place to stony slopes and ravines, with here and there a poor miserable field. Our route gradually approached the village of Urghundee, situated near the base of the Pughman range, about 20 miles from Cabul; we then crossed a spur of the range, descending into the valley of the Cabul river near Rustum Khail and Kote-i-Ashroo. This river rises in the Oonai pass, flows easterly for near thirty miles, then, taking a sudden bend to the south, rounds the extreme western point of Pughman, and, washing the beautiful valley of Maidan, it crosses the Ghuzni road, and again bends eastward to Cabul. From Rustum Khail to Julraiz the valley is about three quarters of a mile in width; it is highly cultivated, the fields rising in terraces on the sides of the hills, water being brought thither in small channels from the upper parts of the stream; the valley is thickly sprinkled with forts, around which and on the banks of the stream, grow the willow, poplar and some fruit trees. At Julraiz, another stream joins the Cabul river; it flows from the northward, in an opening between the Pughman and Oonai ranges. The road crosses this tributary and continues up the course of the Cabul river; after leaving Julraiz the valley contracts, and the hills become more lofty and imposing in their appearance; the road is in places almost confined to the bed of the stream, the rocks projecting on either side far into the valley. Sir-i-chushmeh (the head of the spring) is situated about 10 miles higher up than Julraiz. Here is one of the sources of the river, and some ponds containing numerous tame fish, considered holy by the natives; they are in consequence preserved and fed by the inhabitants of the forts around. Proceeding onwards, the hills close in gradually, until there is scarce space in the valley sufficient for a road, which is accordingly carried along the side of the hill. The Oonai pass commences about 9 miles above Sir-i-chushmeh. A few miles below, situated on some high ground, a spur of the mountains, is an exceedingly picturesque and well-built fort, which completely commands the approach to the pass. Above this fort, the valley loses its pleasing appearance, and becomes rather a gloomy defile, it being so extremely narrow, and void of trees. The Oonai is one of no great difficulty; the height is nothing, but it consists of several successive dips and ridges—the ascents and descents of which are sometimes very

steep. The descent from the pass is to Youatt, a poor solitary fort, situated on the edge of a small marshy stream. The summit of the pass is flat, a kind of table land : it is between 11,000 and 12,000 feet in height, and from it a magnificent view is to be obtained of the various mountain-chains around. Towering above all, the Koh-i-Baba (father of mountains) rears its triple peak, snow clad far below the summit.

From Youatt the road again ascends and after crossing several spurs of an adjacent mountain, enters a narrow glen, from which, after about a mile of descent, it emerges on the valley of the Helmund, or, more correctly, Helbund. Gurden Dewaal is but a miserable hamlet ; the valley is narrow but productive, every available inch of ground being subjected to the plough. We reached this place on the 22nd September, and were compelled to halt until the 30th, owing to orders received from Cabul.

I should have mentioned before, that when crossing the Urghundee Ghaut, we met Captain Thomson and Lieut. Sturt, of the engineers, returning from a survey of Bameean and the passes of the Hindoo Koosh : they both manifested the utmost surprise on hearing our destination, and without the slightest hesitation declared, that, in their opinion, we should not be able to surmount the difficulties of the road before us. Captain Thomson accordingly, on his arrival at Head-Quarters, reported the Irak pass impracticable for Artillery, and in consequence an order was immediately sent to us, directing half the battery and all waggons to return to Cabul, and desiring the remainder of the detachment to halt, until the arrival of some elephants intended for the transport of the ammunition. We were now only 20 miles from the pass, and it seemed unwise to send back guns, without at least making an attempt : the former part of the order was not immediately complied with, and two officers* forthwith went forward with a guard of Infantry to examine the pass. The result of this was a very different opinion from that formed by the Engineers—one of the officers returned and declared that the pass would be perfectly practicable after a few repairs had been made to the road ; and for this latter purpose Lieut. Broadfoot remained with the Infantry at the pass. This favorable report was forwarded to Cabul by Captain Hay, who commanded the detachment, and eventually the whole battery was permitted to proceed. The march was resumed on the 30th. The range, which we were now about to cross, stretches South East from the great peak of Hindoo Koosh, and it meets the lofty mountain of Koh-i-Baba (18,000 feet high) when it again tends to the west, and gradually dwindles into insignificance until it nearly approaches Herat, where the chain terminates and is succeeded by a tangled group of smaller hills. Along the Eastern

* Lt. W. Broadfoot of the (1st) European Regt. and Lt. Mackenzie of the Artillery.

base of the range now before us, runs the river Helmund, which rises at the base of Hindu Koosh itself; at Gurden Dewaal, the stream is shallow being, except when shollen by the melting of the snows, barely a foot deep. On the further side of the mountains runs the Bamian river. These two streams are fed by numerous tributaries taking their rise about a thousand feet below the summit of the mountains, and flowing respectively South East and North West, frequently through tremendous defiles, until they pour their waters into the larger streams.

It was up the narrow valley of Sea Sung ("The Black rock,") form the bed of one of these tributary streams, that our course lay towards the Irak pass. We entered this defile on the 30th (the stream of Sea Sung enters the Helmund close to Gurden Dewaal) and marched to Sea Kelah (the black fort) a distance of about seven miles. We met with no difficulties on the road, though the march was tiring from the constant ascent; the glen was extremely narrow, bounded on either side by steep banks, faced by the black rock from which the valley and stream have acquired their name: on either side, swept down long swelling spurs,—on the left from the Koh-i-Baba, and on the right from that part of the chain immediately N. E. of Irak; but the high mountains were themselves invisible from the steepness of the banks on either hand; except occasionally, when, through some opening on our left, caused by the bed of some streamlet, the stupendous father of mountains, suddenly burst upon us, and as suddenly disappeared, when our continued progress caused some smaller eminences to intervene.

The second stage up this glen is to Cahzar, where the road divides into two branches, one leading to the N. W., while the other points northward. Both these roads lead to Bameean. We pursued the latter which passes over the Irak Ghaut. The former is the more direct route, but the two passes of Hajeeguh and Kalon have to be surmounted, and these, though less lofty than the Irak, are impassable for Artillery. As we continued our course, the appearance of the narrow valley presented but little change; but in place of the steep banks before mentioned, the stupendous ridges now swept down to either bank of the stream, and as we gradually approached the foot of the Kotul, the valley contracted, and the ascent became more laborious. Our camp was formed at the base of the Irak on the 2nd of October, and here we first met with perpetual snow, a considerable quantity of which was still lying around the course of the Sea Sung, in the immediate vicinity of our tents. The cold was now severe, and had been gradually increasing since the 16th of the past month, when the thermometer first fell below the freezing point; at that time we were encamped on the eastern side of the Oonai pass. The Irak Ghaut we found by no means so difficult as had been represented; it was a

smooth rounded eminence, being almost entirely free from rock, and a good road of a tolerably easy angle (varying from 151. to 251.) had already been made by Lieut. Broadfoot. The ascent was about a mile in length; the descent, on the western side, about the same, but considerably more abrupt.

Ere noon that day, the first British gun had surmounted the great barrier of the Caucasus, and beneath us stretched, as far as the eye could reach, a vast sea of hills. The view presented certainly no beauty; there was nothing pleasing in its appearance, but the endless mountains,—brown and barren, without a single bush or tree to enliven the scene, raising their various peaks one beyond the other, like the waves of the storm-tost ocean,—wore an air of dreary grandeur. On every side, east and west, north and south, it was the same; the immense belt of mountains stretched around with no limit, but the horizon; rising still several thousand feet above us, and in our rear was the Koh-i-Baba, and below, the narrow, winding glen, through which our onward route lay. Even at this hour of the day, the air was cold in the extreme; a strong cutting wind blew, and the clouds drifted swiftly from the north, forewarning us of the near approach of winter. We hurried on with our work, and the same hour next day found us several miles down the valley.

If the view from the summit of Irak was dreary, still more so was the appearance of the narrow glen in which we were encamped on the 3d. It was watered by the At-i-Irak, a small brook, which, rising in a bed of snow at the western base of the mountain, pursued its rapid course towards the river of Bameean. The defile was scarcely ever more than fifty paces in breadth, generally less, and the hills rose abruptly on each side. The cold was more intense here than we had yet felt it, for the sun only reached the valley between the hours of ten and three; so that at 9 A.M. on the third of October, the thermometer in a tent, was as low as 24d. But, in our march the next day, as we still continued our route down the bed of the stream, which fell most rapidly, we encountered still more formidable defiles, enclosed by dark walls of rock, rising to so great a height as to exclude the sun, in many places, even at mid-day. Our passage through these places, was sometimes attended with considerable difficulty, as the road (which had been constructed by Lieut. Broadfoot with as much care as his means and time permitted) passed over ledges of rock with abrupt and dangerous descents. At length, after surmounting a projecting rock, which closed the narrow gorge, so as to allow of no road below, we suddenly entered a pleasing valley, which presented a striking contrast to the dismal defiles from which we had emerged. It was about three miles in length and, perhaps, about half a mile in width: the harvest had just been cut, and the yellow corn still lay upon the ground: several

small, neatly-built forts were scattered about the valley and a few poplars and willows bordered the stream. The re-appearance of cultivation (and verdure, I had almost written ; but no,—winter had given notice of his advent, and the brown leaves had already begun to fall) was hailed by us with delight, and we began to cherish hopes that the valley of Bameean might also present some contrast to the dreary hills around, and prove a kind of oasis in the desert.

In this valley we first saw the excavations in the hill side, for which Bameean and its neighbourhood have so long been celebrated ; but they appeared to be used here more as granaries and store houses for dried forage, for the winter consumption, than as habitations. The group of forts is generally called Irak, as well as the mountain and stream ; hence a path-way across the hills, towards the north-east, leads to a place called Shibr (Irak is in the Shibr district and occasionally is known by that name,) and thence through the country of the Sheikh Ali Hazarehis to the pass of Ghoorbund, leading into the Kohistan.

We encamped on the 4th in the valley, and on the 5th (although we had at first imagined that the Irak ghaut was the last obstacle in our march) we encountered a severer day of toil, than had as yet fallen to our lot. At first our route lay down the valley, but after about two miles, the road turned sharp to the left and led across the hills, as we were no longer able to pursue the course of the stream ; this is by no means unusual amid these hills, for in many places the opening between the rocks is so narrow as not even to admit of the passage of a laden animal. This was the case in the present instance. The hills enclosing the valley are of no great height, and do not present any appearance of difficulty, yet the ascent and descent were both laborious in the extreme, and the passage of the narrow ridge, intervening between the valley we had just left and that of Bameean, occupied the entire day ; and it was late at night before the artillery reached camp. The summit of the pass (called Kushi) is a table land of about half a mile in width ; it commands a good view of the hills around, which present a most grotesque appearance, being of every known colour, except that which, in my opinion, is the only one becoming either a molehill or a mountain, namely—green. As for describing these hills, it is impossible to convey the slightest idea of their extraordinary formation ; their shapes are various and fantastic, and red, blue, yellow and brown are the colours they delight in, sometimes in stripes, like those of the rainbow, running at a small angle with the horizon, while other hills are to be seen thus variously tinted, but without the same regularity. I am no geologist and cannot exactly say what these hills are composed of, but I believe they are of indurated clay.

The passage was at length achieved, and we encamped at the western base of the ridge, which was separated from us, by the small rivulet of Kaloo, flowing close in the rear of our camp ; on our right was the Bameean river, and on our left the defile leading to Kaloo, and the ruined castle of Zohauk, perched upon a lofty, insulated rock, commanding the entrance of the gorge. The stream first mentioned rises on the Cabul side of the pass, from which it takes its name, and flowing round the shoulder of the mountain, passes through tremendous defiles, until it enters the valley at Zohauk, and forms a junction with the other rivulet. The route, through this defile, is impracticable for all but footmen, and is seldom traversed even by them, except at times when the great depth of snow renders the ghaut almost, if not quite, impassable : the route usually followed by casilabs leads by a steep and winding road over the summit of Kaloo and immerses into the Bameean valley, at Topshee, about 2½ miles higher up than Zohauk. On the 6th the detachment halted, and next day pursued its march up the valley—and encamped close to the celebrated images of Bameean ; and thus was accomplishing one of the most arduous marches ever undertaken by modern armies.

II. BAMEEAN.

The valley of Bameean, from Zohauk to Scorunkhdhurr,* its western termination, is about 14 miles in length, and varies in breadth from half a mile to 80 paces. Between Topshee and the eastern extremity it is about 4 or 500 yards in width, and but little cultivated. there being a considerable quantity of bush jungul on the banks of the stream, particularly in the neighbourhood of Zohauk. Above Topshee the valley is exceedingly tortuous, and is scarcely wider than the stream, which, in fact, at some periods of the year, when swollen by the melting snow, does entirely fill the narrow opening between the hills ; but at about four miles from Bameean the hills recede considerably, and the valley assumes a more pleasing appearance, being highly cultivated and occasionally enlivened by a few trees chiefly willows and poplars. Zohauk, however, is a pretty spot, as well as Topshee and Ahinghur, a small fort about a mile higher up than the former place. Generally speaking, wherever there is a fort there are a few trees, and these give a pleasing aspect to a place which otherwise would present but little attraction. The valley opens near the fort of Moolla Meer Mahomed, situated on a somewhat high bank, at the entrance of a narrow gorge leading to the north. Thence following the course of the stream up its left bank, the traveller passes two forts, one of which, called Lalla Khall, is of a considerable size, and perched upon a

* " The red gate," so called from the colour of the hills and rocks around.

lofty cliff overhanging, and on the opposite side of the river which separates the two forts. About half a mile beyond Lalla Khall, the valley again contracts, and the narrow pathway* usually followed, skirts the side of the rocky hills on the right, the base of which is washed by the river, which here, impeded in its course by rocks and stones, flows turbulently on. But after pursuing this straggling path for a distance of scarce a hundred yards, you again enter a more open space, in which, at about a mile and a half from the jutting rock, and close under the northern hills, our camp was pitched. The valley was here about half a mile in breadth : close in our front was a group of four forts, three of which were on the further or Southern bank of the stream : around them were a few trees of a goodly size, and beyond them, and close where the Fouladi valley forms a junction with that of Bameean, rose a dense clump of trees (somewhat resembling the poplar in their uniform-straightness) situated in a spacious Zyarut or burial ground. On our right, and on a slope, in front of the big image, were the ruins of a village surrounded by a battlemented, but now dilapidated, wall. Beyond was to be seen the fort, also in ruins, were Yazdanbuksh, the Hazareh chief, had been some few years before treacherously slain by Hadji Khan Kakur. There are several other ruins in the neighbourhood, some of which are on a table land, which rises about 200 feet above the valley, to the South of it, and East of that of Fouladi; and which extends to the base of the lower hills of the Koh-i-baba range. These old forts appear to have been of a superior structure to those which are now met with in the valley : one of them, in particular, is admirably situated for defence, being placed immediately overhanging the junction of the two valleys, and separated from the table land to the East of it by a small dhurrah, while to the South the only communication with it, is by a narrow natural causeway. At the base of the eminence, on which the ruins stand, flows the Fouladi stream, access to which is effectually secured by a small tower at the base of the rock.

But of all the ruins the most remarkable are those of Ghoolghoola. There are several small dhurrahs or ravines running into the table land before mentioned ; and, at the mouth of one of these, rises, to a height of upwards of two hundred feet, a conical hill, on which are situated the ruins of Ghoolghoola, the summit overlooking the adjacent table land, and visible several miles down the valley. The approach to the pinnacle is by a spiral road, winding several times round the cone.

It is needless to enter into a description of the images and caves ; as others, far abler for the task, have already done so. With regard to

* The old road through the valley is a mere pathway and uniformly keeps the Northern side of the valley, except at Zohauk, where it necessarily crosses the stream to reach that place. The guns were obliged to follow a different line, frequently crossing the river and passing through the fields.

the latter, the northern hills are generally low, and (except at one place where they are terminated by a lofty cliff, in which the images stand) present the appearance of a gigantic rabbit warren. These excavations are only inhabited by the lowest classes, as they certainly are not calculated to afford a comfortable residence; the entrances are in general small, and the interiors dark and dirty, with no other outlet for smoke than the door itself. We, at one time, in the fullness of our ignorance, had some intention of fixing our winter quarters in these caves, but one glance at them quickly dispelled the idea, and we turned our attention to the numerous forts of the valley, the appearance of which (though they are not palaces) held out a better prospect of comfort.

There are several streams, which, flowing from the neighbouring ranges, pour their waters into the river of Bameean. Of these the principal one is that of Fouladi, which, taking its rise among the rocky hills, which bound the southern view, flows from the south west, for about six miles, through a rich valley, nearly equal in breadth and productiveness to that in which we were located; the stream, after washing, as before mentioned, the foot of the eminence surmounted by the ruined fort, forms a junction 1,200 yards lower down, with the Bameean river. Still half a mile lower there is another stream, which waters a narrow, but well cultivated valley, lying at the foot of the eastern slope of the table land, and confined on the other side by more lofty hills. Near Abinghur or Tifonehee, there are two other streams, also issuing from the southern hills, and at Topshees there is a considerable rivulet, along the banks of which is the principal road leading to the Ghaut of Shatur Gurdun* at Kaloo. Besides these there are several stoney defiles leading into the mountains on either side, but these are for the most part dry, except at certain seasons after sudden melting of the snow.

The view in the valley is at all times much circumscribed. From Bameean itself, barely two miles of the valley can be seen, and that principally to the eastward, for immediately at the foot of the big image the ground, on the northern bank, rises, and as the river bends to the southern side of the valley, the view in that direction is closed by the slope, above which, however, are to be seen the red hills inclosing the defile of Soorukdhurrah. To the south, looking from Bameean, rise a chain of rocky hills, rearing on high their dark, naked peaks; in recesses and clefts among these mountains where the rays of the sun can seldom penetrate, large patches of snow remain during the entire year. The hills, however, which enclose the valley on the north, are insignificant in height, and very different in appearance from those opposite to them; being invariably of a reddish hue, and of indurated clay, interspersed occasionally with huge

* "Shatur Gurdun"—camel's neck.

rocks of red granite. Eastward the valley extends as far as the jutting rock before mentioned, while beyond, the spectator observes the rocks which bound the narrow valley below Jalla Khail, and towering above them the rounded summits of the hills, branching off from Kaloo and Irak.* * * * *

Since writing the first chapter, and the commencement of the present one, I have read the following passage in Captain Havelock's work, which have astonished me not a little :

"Doctor Lord, of the Bombay medical service, who had evinced much talent both when employed as assistant to Captain Burnes in his accredited visit to Cabool, immediately before the war, and more recently during the Khyber operations was selected to enter into such negotiations beyond the Tartar frontier as might prevent the ex-Ameer from obtaining assistance from the Meer of Koondooz or the king of Bokhara, in any hostile plans against the restored government of Afghanistan. But towards the beginning of October, the aspect of affairs to the Northward of the Hindoo Koosh, was thought to be materially changed. The ex-Ameer appeared to be firmly established in the Koondooz territory, and to have obtained such a hold on its resources as to cause very serious alarm in the Council Chamber of the Bala Hissar, and to disturb the slumbers of Shah Shoojah with visions of the appearance of the Barakzye to the Southward of Syghan, at the head of a combined force of Afghans and Uzbegs. To a desire to allay these apprehensions might be traced the plan of an enterprize patronized for a time by the Envoy and Minister, but judiciously abandoned in consequence of the well-timed remonstrance of Sir John Keane. It had been devised to send a brigade of troops at this advanced period of the year beyond the Hindoo Koosh, to give weight to the diplomatic representations of Doctor Lord. To the simple apprehension of soldiers, it was clear that this would have been a strategical error. Cut off by the snows and glaciers of the vast mountain range from all communication with the armament around Cabul, these troops might have had to sustain, single-handed, the attack of all the forces of Independent Tartary, without supplies, ammunition or a base of operations. But soberer councils prevailed, and this project of a Trans-Caucasian expedition gave place to safer and less romantic measures of precaution."—Page 169.

Now, this is a very odd paragraph, very odd, indeed, though his arguments are, I think, exceedingly just. A reader would suppose from the last sentence, that troops did not cross the Caucasus, or that Captain Havelock was ignorant of the fact, did he not immediately after, at page 173, inform the public that, "two little posts of observation were established on the main routes across the Hindoo Koosh, the one at Charekar and the other at Bameean."

But again, at page 221, Captain H. Writes of "the wisdom which forbade us to hazard our success and reputation by an ill-timed expedition across the Hindoo Koosh."

These conflicting statements leave it, as for as the work in question goes, a matter of much doubt, whether there was or was not an expedition across the great Northern barrier. However, I take upon myself to inform the world in general, and Captain Havelock in particular, that there was "an expedition across the Hindoo Koosh."

It appears to me exceedingly strange, that both Sir John Keane and the writer of the "narrative," should have overlooked what is to me obvious, namely, that the arguments against sending a brigade across the mountains would be still more forcible, when applied to the case of a weak detachment.* Let me ask whether the small detachment which passed the entire winter "beyond the eternal snows of the Hindoo Koosh," was not equally exposed to the danger mentioned by Captain Havelock as would have been a strong brigade. Of course it was, and that without the same means of encountering those perils. Sir John Keane, refused to allow a brigade to be placed in such a false position, yet he had no objection whatever jeopardize a single regiment and battery of guns. It seems, that it never occurred to the General that "our success and reputation" were more "hazarded" by the despatch of a small detachment than of a complete brigade.

The imprudent step (for imprudent it doubtless was, notwithstanding the fortunate results to which it led) had, however, been taken before Doctor Lord had appeared conspicuously in the field. That officer, about the same time that the detachment marched towards Bameean, was despatched on a mission to the Meer Wallee of Kooloom.† He left Cabul by the Kohistan road, intending to penetrate into Toorkistan by the Ghorebund route; but, before crossing the pass of that name, he obtained such information, regarding the unpopularity of Shah Shooja's Government amongst the tribes of the Sheik Ali Hazarehs (who inhabit the tract of mountain country through which he would have had no pass), as well as

* It should be borne in mind, however, that supplies for a small detachment can be obtained in situations, where there are not resources sufficient to maintain a more numerous force; and to this extent Captain Havelock's objections, as referred to the advance of the brigade, and not of the detachment, may be allowed to hold good.—ED. HUXE.

† It was to Kooloom or Tash Koorghan, and not to Koondooz (as stated by Captain H.) that the Doct fled. The former place now constitutes an independent Government; though formerly the Wallee was subject to the authority of Mourad Beg.

regarding the favorable aspect which the Dost's fortunes then wore in Toorkistan,—that he determined on retracing his steps to Cabul, with a view of laying before the minister the intelligence he had gathered. The consequence of this was the detention of the 4th Brigade, which had originally been destined to return to India.

It was on the morning after we had crossed the Irah Ghaut, that we received letters from Cabul, announcing that Dr. Lord was about to join our party, and that two regiments of infantry would shortly follow ; and that after forming a junction with us, the whole party would proceed, with Dr. Lord, to Kooloom. The march of these regiments was, however, countermanded soon after ; but the idea of a Toorkistan campaign, though for the present dropped, was not completely abandoned ; and the subject remained under agitation even until the month of August, 1840. It was then too late, or, at any rate, a much larger force would then have been required than would have sufficed the preceding year ; for that, so much dreaded by the author of the " narrative," had occurred ;—our reputation had been hazarded. Great things were attempted with inadequate means, and the dwellers beyond the snowy mountains had learnt that the Feringees were vulnerable. All deserted us in our utmost need, and flocked around the triumphant banners of the Usbeg ; the reputation of the British arms was well nigh ruined, when the brilliant victory of Bameean changed the aspect of affairs, and, in part, re-established the influence which had been lost by folly and ambition.

I do not think much peril would have been incurred by despatching a strong brigade into Toorkistan in September or October, 1839. The season was not too far advanced, as it must be remembered that after a few marches from Cabul, the troops would have descended day by day into a more genial climate. There would have been but little opposition, for then our name was at the highest pinnacle : Kooloom would have fallen easily to us, and there we might have remained, during the winter, in tolerable security. The great difficulty would have consisted in the march especially over the passes of Dundan Shikun and Kera Kotul, but perseverance will accomplish the most arduous task. However, I do not wish it to be understood, that I am an advocate for such an expedition. I must agree with Havelock, that the step would have been a false one in a military point of view (though a much safer one than that actually followed); and to that I add, that in a political light ; it would have been a lamentable error. What profit it was intended to reap from an invasion of Southern Tartary, it is difficult to determine ; to drive Dost Mahomed Khan from the resting place he had found, was said to be the object in view ; the same reason might lead our armies to Khiva, Bokhara or Kokan. The great range of the Indian Caucasus seems to form a

natural boundary to the Affghan empire ; a mountain belt of 290 miles would prove nearly, if not completely, an insurmountable barrier to an army encumbered with artillery supplies and munitions of war, if the various passes and defiles were held by a few, but resolute, bands of men. Why then should we recklessly abandon the vantage ground we possess, and extending the empire to its former unwieldy dimensions, the Oxus the boundary line, meet an invading enemy in the plains, after having with our money and pioneers smoothed the road across the mountains, and divested the country of those natural obstacles which it at present offers to an invading force. One error leads to many; the first was perpetrated when we escorted Shah Shoojah across the Indus. In our onward progress, I am afraid that we have neither benefited ourselves or the Affghans. All our efforts have as yet been unavailing to arrest the progress of foreign intrigue, nor have we been a whit more successful in establishing British influence. We cannot expect to erect a country into a strong barrier against hostile aggression, unless we possess a place in the hearts of the inhabitants. Alas ! How have we attempted this ? We have forced upon them a monarch whom they detest and despise, and, instead of ruling them with British justice, British bayonets have to support the arbitrary Government of Shah Shoojah and his myrmidons. It is this which has made our name unpopular throughout the country ; instead of having created a friendly state, we have made enemies : we have no place in the affections of the people, and British influence is not, where the British bayonets are unseen. So, where we wished for friends, we have now enemies ; and such would be the result of an invasion of Toorkistan. Even, as it was, we went too far and excited hostile feelings among barbarian hordes, from an intermeddling with whom no advantage could have possibly accrued.

But it is not my intention to enter upon a consideration of our general policy in Afghanistan and of its effects. I commenced this long digression merely with a view to point out the folly of advancing between the mountains of Hindoo Koosh ; thereby exchanging a secure and insurmountable barrier for the weak line of the Oxus ; and raising up against ourselves a host of enemies, who would, thereafter, at any time, be most glad to join any fresh invader, who would promise to relieve them of our presence. I have often heard it said, that it would hereafter prove highly beneficial to us, the having established a footing in Afghanistan, before any other power, hostile to us. Certainly this seemed likely enough sometime ago ; but, unfortunately, experience now shews, that it is not the first, but the last comer, who will have the advantage ; and this, because we have made ourselves detested instead of popular ; and we now see those who were deadly enemies before, uniting to accomplish the overthrow of the accursed Feringees, the supporters of the " Kaffir" Monarch.

As we entered the valley of Bamcean, everything denoted the rapid advent of winter. Snow fell upon our tents, on the 6th of October, when encamped at Zekauk, and again on the morning of the 7th, we observed it snowing fast in the northern hills, while a few flakes fell in the valley. The tall trees of the Zyarut had been stripped of their leaves by the cold wintry blast, and the corn, already cut, lay in heaps on the ground, where it was trod out by the "unmuzzled oxen." The approach of this rigorous season, is, amongst the the Koosh mountains, at all times sudden, and occasionally it has been known to come on so rapidly as to cause the destruction of standing crops by premature falls of snow. It was intensely cold when we first arrived, and in a few days after, the thermometer fell in the morning to 14 or 16 above zero. The husbandmen hastened the gathering in of their corn, and we, on our part, began to consider the best means by which we might shelter men and cattle from the rigors of a mountain winter.

Dr. Lord arrived a few days after the detachment, and in a short time, a bargain was struck with the owners, for the use of three of the neighbouring forts. These edifices are usually constructed of sun-baked mud; they are inclosed by a high wall about 30 yards square and from 20 to 30 feet in height, flanked by round towers, placed at each angle, the summits of them being sometimes on a level with the top of the wall, but more generally about ten feet higher. In the interior are the rude huts which constitute the dwelling places of the inhabitants. The predatory habits of the natives of Central Asia have led to the construction of such forts throughout the whole country. Against bands of marauders they form excellent places of defence: the walls being of sufficient height to prevent their being easily surmounted, and being, as well as the towers, pierced for matchlock fire to bear on all the ground surrounding. Yet have they been often captured by both Affghans and Usbeks; often treachery, at other times the extraordinary negligence of the garrison is the cause. In the latter case, the capture is effected at night, and generally by one of these two plans. The first method is by introducing a single man into the Fort, who climbs over the wall, and, opening the gateway from the inside, admits his comrades. Another plan is, by quietly boring through the wall, to force an entrance into one of the huts inside, and thus carry the place by surprise. I have been credibly informed, that by such simple means as these, the Affghans have often captured forts, which might have resisted an open display of force for a considerable time; but great, indeed, must be the apathy and carelessness of the defenders to allow their forts to fall through such stratagems as these.

The forts which were selected for the troops, were of that group which I have mentioned as being situated immediately in front of our camp, and

were all on the further or Southern bank of the river. Together they formed an irregular triangle, the forts themselves marking the angles. Two of them were allotted to the Infantry, and were of the construction above described ; but the third, that of the Artillery, was of a large and superior build. It consisted of two compartments, each about 32 yards square—the fort lay North and South—the Northern compartment had lofty walls and towers surmounted with battlements, and provided with machicoulis. The other part of the fort was not so well constructed ; in it, eventually, stables were erected for the horses. This was not, however, accomplished without much difficulty, on account of the great scarcity of wood adapted for building purposes.

The Bameeanchis, or inhabitants of the valley of Bameean, are Tajicks, while the dwellers among the hills around are principally Hazarehs. These two races, though perfectly distinct in origin and religion, bear to each other a striking resemblance. In either tribe is to be remarked the broad, flat face, with high cheek bones, and small eyes, which would best proclaim a Tartar descent: the Tajicks are, however, supposed to be the aborigines of the country, while the Hazarehs have a better claim to Tartar origin, as they, I believe, first made their appearance among the mountains of Affghanistan, with the army of Jenghis-Khan. Both the Bameeanchis and Hazarehs are extremely fair, with frequently light hair and eyes ; their forms are robust and athletic ; but their air is ungainly and their countenances present more signs of stupidity than intelligence. They are simple, good-natured men, perfectly free from the blustering insolence and murder-loving propensities of the other tribes of the country. I do not mean, however, that the Hazarehs have not their blood feuds (which can only be ended by the murder of the hostile party) like the Affghans, but their behaviour towards us was peaceable and friendly. Officers could ride in the neighbourhood, unarmed and unattended, to a distance of upwards of thirty miles, while in other parts of Affghanistan, a man's life was scarcely safe beyond the precincts of the camp. The natives of Bameean and its neighbourhood have long been a suffering race, being subject to the oppressive inroads of both Affghan and Usbeg, the former exacting heavy contributions, while the latter were wont to make sudden dashes into the valley and carry off a few unfortunate prisoners, who were thenceforth condemned to a life of slavery in Toorkistan. But there are some tribes of the Hazarehs, who, trusting in the great strength their mountain fastnesses have long defied, both the Affghan and the Toork ; among these are the Deh Zangee, Yehalung, and Sheik Ali Hazarehs. The two former tribes are located westward of Bameean, while the latter, I have before mentioned, as dwelling near the passes eastward of Irak. These tribes are predatory, and are a source of terror to merchants with caravans, in which they levy duties as they pass through or near their

districts. The Del Zangees held, for years before our arrival, a post on a hill immediately above the hills of the Soonik dharraho defile, from whence they were wont to await the arrival of the numerous carravans, which annually pass by that route. These tribes, occasionally, make forages on less warlike districts, and the Sheik Ali Hazarehs have even visited and levied black mail in the valley of Bameean. The Hazarehs, in their own mountain land, are brave and resolute, and it is related, (though I cannot vouch for the truth of the story) that 13 men stopped the whole army of Mourad Beg. That monarch, some years ago, invaded the countries south of his dominions, and after capturing Syghan and destroying some villages he reached Bameean. But on attempting to penetrate by the Kaloo defile, it is said, that thirteen Hazarehs, posted in the rocks around, opposed his progress, and, after slaying several of his men, so intimidated the Usbeg Army, that the Meer of Koondooz was forced to retrace his steps.

Enough of these mountaineers—to return to my narrative. On the 15th, the snow fell heavily in the valley, and on the following day, those of the troops, for whom huts were ready, took possession of their posts; in a few days, the barracks were completed, and the remainder were put into a winter quarters. But there was a part of the detachment, which, it was soon found, it would be impossible to retain during the winter. This was the cavalry, consisting of about 100 of Christie's horse and 800 Affghan horse, under Abdoolah Khan Atchekzye, Abdool Ruheem Khan and Guddo Khan. There was neither stabling, nor a sufficiency of forage for so many horses, indeed we had some fear that we should scarcely find the supply of the latter article adequate for the keep of the gun horses.

Under these circumstances, it became necessary to send this arm of our force back to Cabul. With regard to the Affghans, independent of the reasons above mentioned, we had others still more weighty for desiring the absence of those gentry; for Dr. Lord, soon after his arrival, discovered that the Sirdars were in active correspondence with Dost Mahomed Khan! So much for the fidelity of Affghan friends;—yet, Guddo Khan, the elephant stealer, has since done service to the state in two engagements in the Zemindeawer and Ghilzie districts.

But we did not long remain quiescent in our forts, for before the month had closed, intelligence reached us from northward, warning us that the time for action had commenced.

The valley of Syghan runs parallel to that of Bameean, and is separated from it by a range of hills, 10,000 feet in height. In the palmy days of the Affghan empire, Syghan was subject to the Dooranee mon-

archs, whose rule extended to the banks of the Oxus; but, during the civil dissensions which occurred in the commencement of the present century, the countries north of the Hindoo Koosh were lost to the crown of Cabul. Within the last ten years, the chief of Syghan had been in the habits of paying tribute to both Moorad Beg of Koondooz, and to the Ameer of Cabul, or rather to whichever of the two states might have the immediate power to enforce such payment. But when the power of Koondooz fell, and Kooloom became independent, Dost Mahomed Khan asserted his supremacy north of the Koosh. At the time that Mr. Masson visited these mountains, Haji Khan Kakur, the Governor of Bameean, exercised absolute power as far as the Dundan Shikun pass; and only a year before our invasion Meer Akrum Khan, (one of the Ameer's sons) marched even as far as Kooloom, capturing Syghan, Kamurd and other places on his route; it would appear from this that these transmontane chiefs never acknowledged the supremacy of their more powerful neighbours, until compelled by the presence of a force. At the period to which my narrative has arrived, the valley of Syghan was torn by internal dissensions. There were two chiefs in the valley, either of whom claimed superiority and the possession of the principal fort. Of the two, Mahomed Ali Beg was the actual holder of the fort of Sar-i-Sung, but his adversary, (a young Usbeg, by name Khilich Beg) asserted that his father and uncle had been foully dispossessed and murdered by his rival. The consequence was, that the valley of Syghan became nearly a desert; the fields lay waste, for the one would not sow, lest it might eventually be the lot of the other to reap the corn. Neither chief durst move through the valley, unless followed by a numerous retinue, with mounted scouts in advance, to see that no enemy lay in ambush. The paltry squabbles of these Usbeg Montagus and Capulets, at length brought the British and Toorkistan forces into collision. Khilich Beg applied to the Wallee of Kooloom for assistance against his more powerful and successful rival; and that monarch immediately seized the opportunity thus offered, extending his powers so far beyond his actual possessions. But there was other influence at work. Dost Mahomed Khan was residing, and in high favour, at the court of the Meer Wallee, and the expedition was probably entered upon more with a view to benefit him, by giving him possession of a strong hold on the very borders of the empire from which he had just been expelled.

About six or seven hundred Usbeg horse were accordingly despatched from Kooloom, under the command of Gholam Beg, the eldest son of the chief of that place, and having joined the party of Khilich Beg, together they encamped beneath the walls of Sar-i-Sung, and laid siege to that fort, I should rather say, blockaded it for they took no active measures for its reduction. A confidential follower of the ex-Ameer was in

the camp of the besiegers, and, it was generally supposed, that in the event of the capture of the place, this man was to have been nominated Governor in the name of Dost Mahomed Khan.

Khilich Beg having called in the Kooloom power, it was natural that Mahomed Ali Beg should turn his attention towards us; for he felt, of course, that he could not resist, unsupported, the power of Kooloom. He has before been subject to Cabul, and he determined on returning to his allegiance: he accordingly sent a messenger to the Political Agent, acknowledging the supremacy of Shah Shoojah and in return requesting our aid against his enemies. He did not ask in vain.

Had there been no other reason for our interference, this surely was sufficient; that a chieftain, who had long paid tribute to Cabul (for Mahomed Ali Beg is a very old man) and who had given his allegiance to the monarch of our choice, claimed our help against the ruler, who had received, with open arms, the known enemy of Shah Shoojah. We must not surely allow our allies or dependents, however despicable they may individually be, (I have not a single good word to say in favour of our friend Mahomed Ali) to fall beneath the swords of their enemies. But there were other and far more urgent incentives to action. Our own safety was involved in that of Sar-i-Sung. It was essential to our well being that that fort should remain in the hands of a friend. It would have been madness to have sat tamely, while our enemy was securing to himself the possession of a stronghold beneath our very eyes. The petty Usbeg chief could not have successfully resisted, for any length of time; the fort must have fallen into the hands of Dost Mahomed and his Usbeg friends; it would become a sort of rallying point to our enemies, from whence they could have harassed and annoyed our small detachment during the winter. It was of the utmost importance, moreover, to impress our neighbours with a due idea of our power, vigour and daring. Had we, on the other hand, remained quiet spectators of the doings at Syghan, so manifestly hostile to our interests, such forbearance would have been attributed to fear and a knowledge of our own weakness. Fortunately Dr. Lord was a man of a vigorous mind, quick and accurate in judgment, and decisive in action. Our small detachment was entirely thrown upon its own resources, and it became absolutely necessary to conceal our real weakness and insufficiency to cope with the dangers with which we were surrounded: at this period, a shew of irresolution or timidity would have greatly embarrassed our situation; but one bold stroke insured to us tranquility and safety during the ensuing winter; well would it have been for the glory of the British name had all our measures been equally prompt and decisive!

Lord's plans were soon formed: he communicated with the military superior, and a detachment was immediately prepared for secret service,

while the Political Agent despatched a messenger to Gholaum Beg, desiring him to quit Syghan immediately, and warning him, that should he remain there after sunset on the 30th, he might expect a visit from the Fer-ingeex. Lord's design was to make a foray or chupao on the camp of the besiegers ; and the country between Syghan and Bameean being of a very difficult nature, and the great object of the expedition being celerity of movement, so as to effect a surprise on the enemy,—no ordnance accompanied the detachment, which was ordered to be composed as follows : sixty-five noncommissioned officers and troopers from the native Horse Artillery, under Lieut. Mackenzie ; one hundred and twenty bayonets from the Shah's Goorkah corps, under Lieut. Broadfoot, and a detachment of Christie's horse, † under a native officer ; the whole party being commanded by Captain Hay. In addition to these troops, about thirty or forty Affghan horse, belonging to the agency, accompanied the detachment, under the command of Lieut. Rattray ; and the Hakim‡ of Bameean supplied his quota of one hundred Affghan horse.

The destination of the detachment was not known until the 30th, and at sunset of that day, before which time it was calculated that Gholaum Beg must have received Dr. Lord's message, the party set out from Bameean.

It was a long and weary march, and the nights were then intensely cold. At first they wound by a straggling path through dark and narrow glens, rendered still more dreary and dismal by the dim and uncertain light of the stars ; then, mounting the almost perpendicular face of the mountain, by a steep winding road, they traversed, for many miles, the undulating summits of the hills, until they reached the small fort of Akrobat, situated about midway between Bameean and Syghan. Here the detachment was obliged to halt awhile, as many were still behind, the cavalry portion having far outstripped the infantry, who were, however, mounted on tattoos ; but there were many of them of but inferior description, while others had to carry double weight, so they did not progress very rapidly. As soon as the stragglers had been collected, the party again set forward, and, after crossing the Kotul of Akrobat, plunged into a series of the most tremendous and gloomy defiles. Here, through the darkness, and the roughness of the pathway which they followed, they were necessarily obliged to travel with caution, so that the sun had already gilded the summits of the hills, when they reached the small valley and solitary fort at Iliatoo. Here the little party was formed, in order to be in readiness for the coming attack ; and they marched on, expecting every moment, as they rounded some projecting rock, to come in sight of the Tartar

† A small detail of this corps had been left at Bameean, for the purpose of escorting camels to Cabul.

‡ " Hakim"—Governor.

camp; but it was not until they had journeyed some six miles beyond Ilatoo, that the fort of Sar-i-Sung, perched on the summit of a lofty rock, burst upon their view. As the leading files entered the valley, the defenders hailed the approach of the Feringees with loud and exulting cheers. These cries seem to have given the enemy the first notice of the approach of our troops, for when the cavalry debouched from some orchards which surround the rock on which the fort stands, the Usbegs were seen rapidly flocking to the centre of their camp, and mounting their horses, which were there picketed in rows.

At first it was supposed that the Usbegs were forming line to receive our attack; and, the word being given, the native troopers and Affghan horse, led by their respective officers, dashed forward to the charge, while the infantry followed in support. But the idea of resistance never entered the minds of those composing the valorous host opposed to us; each man mounted his horse, and they fled separately, each seeking his own individual safety; some pursuing their rapid course down the valley, while others mounted the steep hills, inclosing it on the north. The troopers and Rattray's horse galloped past the enemy's camp, which remained standing, and continued the pursuit some distance down the valley; but I am sorry to say that the greater number of the men composing the Hakim's quota, considered the Usbeg tents as the proper termination to the chase; for they pulled up, and immediately commenced serious work in, what is in their eyes the main object of every expedition, plunder. This appears to be the invariable custom of the Affghan soldier; he never dreams of pursuing, but as soon as the enemy is driven off, he turns to reap what harvest may have been left on the field. It is thus that they have frequently met with complete overthrows, after having first gained the day; the enemy returning and pouncing on them when in confusion and unprepared for a fresh attack.

The fields around Syghan are, many of them, marshy, and the valley is much intersected by ditches, so that our men, not being accustomed to steeple chases, met with many awkward, but, fortunately, harmless, accidents. Fear lent wings to the Usbegs and but few of them were overtaken. The chase was, however, continued some miles down the valley, before the troops were recalled from the fruitless pursuit. As for Gholum Beg, though the greatest efforts were made to capture him, he got clear off, and did not draw bridle till he reached Kamurd.—Khilech Beg, being hard pressed, shut himself up, with a few followers, in a small fort belonging to Murad Beg, about a mile and a half below Syghan. The pursuit was continued beyond this, and when returning, our people were fired on by the men inside; but, luckily, no further damage was done than wounding two horses. The detachment had not left Bameean totally unprepared for such an emergency, but two bags of powder had been provided for the purpose of blowing open a gate, should such a step be necessary. However, on being summoned by Doctor Lord, Khilich Beg agreed to come in and submit, a promise which he fulfilled a few days afterwards.

Meantime the Infantry had climbed the hills in pursuit of those who had fled in their direction; but they met with as little success as the Cavalry. The Goorkahs are famed for their activity and the facility with which they climb the mountain side; but the Usbegs had the start and kept it. They are not in general well mounted, but it is surprising to see the ease and safety with which their small horses gallop along the narrow, dizzy pathways among hills which appear nearly inaccessible. So our men only got a few long shots at them, which did not, I imagine, cause much slaughter. However, it was not our object to destroy them, but more to instil a little fear; in order to insure our own safety. Their loss must have been slight, not above 7 or 8 killed or wound

ed : I should consider that the utmost. Of our party, one Horse did not come up until the affair had been Afghan was mortally wounded.

This little affair, although so bloodless, no doubt created a favorable impression among both friends and enemies. About one hundred horsemen and the same number of infantry put to flight a far superior body of Usbeks. Native accounts, if I remember aright, numbered the latter at six or seven hundred ; but I fancy their strength would be more correctly stated at three hundred and fifty or four hundred fighting men, with grooms and other followers. Of our own party, I have before mentioned that the Hakim's men, mostly, stooped to plunder ; the detachment of Irregular concluded.

The Usbeks were completely surprised, and left their camp and baggage on the ground. It is said that when Gholam Beg received Lord's message, he laughed and said, " the Feringhees are elephants, and cannot move quick ; it will be time to go, when we hear of their starting." He afterwards complained that we were down upon him too soon ; for that he had intended to start at ten o'clock that morning. Poor man ! he not only lost all his camp equipage ; but his breakfast to boot ; his pillau was found smoking on the fire.

There has been a great deal of nonsense written about this said chupao. One gentleman said that Lord had chupaoed a fort (!) and killed one hundred poor devils. Another (Conservative) said, that we had no right to interfere, Gholam Beg being at the time in his father's dominions. Being at all times glad to receive information, I should feel much indebted if that writer would inform me at what particular period Syghan belonged to the Meer Wallee ? It never did. Until very lately that potentate had no possessions beyond the immediate vicinity of Tash Koorgha. Meer Moored Beg did, a few years, back take Syghan, but later still the Ameer of Cabul asserted his right, and Meer Akram Khan besieged and captured the place. The fact of Mahomed Ali Beg having acknowledged Shah Shoojah as his monarch, left no room for dispute ; and we had clearly the most indefensible right to drive off all interlopers.

The detachment returned to Bameean immediately after having raised the siege of Sar-i-Sang ; and the beneficial effects of the measure soon shewed themselves. Dost Mahomed's star, which had for a time shone forth, was again dimmed by a cloud ; his fortunes waned, and the natural consequence was, that of those who had followed the unfortunate monarch into exile, many now deserted him in his utmost need ; his funds failed fast, and the ex-Ameer was forced to grant a discharge to those of his followers, who demanded it. During the month of November, many of these, with their wives and families, passed through Bameean on their way to Cabul. It truly seemed an act of baseness to forsake the fallen man, whose favours they had enjoyed during the hour of prosperity ; yet some excuse may be offered. They were reduced to the most lamentable plight, if the accounts which we received may be relied on. The Ameer had no money, and could not support so many dependents ; they were therefore, obliged to resort to the sale of horses and other property, to procure the means of subsistence for themselves and families. They remained with him for some time, hoping that fortune would wear a more favorable aspect ; but Gholam Beg's unsuccessful expedition to Syghan, dissipated any bright visions which might have been conjured up, and Dost Mahomed himself, now lecher and dispirited, gave to many a written discharge, under his own seal, and bade them seek their livelihood elsewhere.

Such were the immediate effects of the foray : as the narrative proceeds the other, more important anticipations, will appear to have been fully realized.—*Hurkaru, August 6.*

(To be Continued.)

JOURNAL OF A TOUR TO MANDOOR AND LANDAK.

[Continued from our last.]

May 2.—With a native officer of the Gezaghebber, and a young Chinaman as our guides, we set out early in the morning for Perhentian. Our course was nearly north-east and led us through a tract exhibiting considerable pleasing variety. The face of the country was at times gently undulating, at others rough and mountainous. Our way led sometimes through heavily timbered forests, but for most of the time through lands which had been cleared but so long since that a growth of tall saplings had sprung up in place of the original forest trees. There were large tracts too, covered with low underwood, while here and there stood, in an isolated position, a few tall old trees, the survivors of the primitive forest. Now we wound our way through the deep green lalang grass, and anon through newly cleared paddy fields. Sometimes the view was limited by hills in the immediate vicinity, at others a wider prospect opened by the blue summits of distant mountains. Between eight and nine o'clock we passed over a ridge of Dyak paddy fields, from which we had a view of a circular range of hills running from the north-west where the Tiang Kandang terminate the range. Between the spot where we stood and the summits of these hills, are several tribes of Dyaks. A single Malay chief in this vicinity is said to have under him two hundred and fifty families.

During the course of the morning we have met many Dyaks in full armour, or returning from the seat of war between Landak and Tyan. This is not owing to any amicable adjustment of affairs between the belligerent parties, but seems to be a kind of temporary forlough, granted because the present exigency does not call for immediate action. We have found the soil much the same as between Mandore and Landak. The whole of the district is susceptible of cultivation with less labour than almost any part of the island we have yet visited, and there is little doubt that it would richly repay the toil of the cultivator.

The district is also well watered, being intersected with numerous chrystal streams. About half past twelve o'clock we reached the settlement called Perhentian, a small cluster of Chinese dwellings seven or eight in number. It is a kind of depot of articles intended for the use of the miners. Here we stopped long enough to rest and refresh ourselves. Shortly after leaving this place we were overtaken by a heavy shower of rain, and, just after three o'clock, arrived, completely drenched by the falling torrents, at the first mine. We stopped at a house owned by the Captain at Kwala Pantu (who superintends this mine,) and occupied by his

younger brother. Here again, by the kindness of this young man, we were made to feel ourselves quite at home, and a room was fitted up for us a little retired from the noise and bustle occasioned by the frequent calls of the miners. In this we rejoiced, as the morrow is the Sabbath. The mine is but a few steps from this dwelling. The number of miners considered as belonging to it is sixty ; we saw however but forty or fifty at present engaged in labor. It has been worked sometime, so that large excavations have been made, and formerly it was said to be profitable, but its returns at present are small. We saw nothing peculiar either in the appearance of the mine or the process of working it. Machinery moved by water power, similar to that of Mandoor, was used for drawing out the water from the excavations. This is the government mine above referred to ; so denominated simply because they advanced the money for opening it.

Sabbath. *May 3.*—This Sabbath day was spent principally in our own room. Our situation we found more retired, and therefore more agreeable, than that on the past Sabbath, which was spent at Mandoor. Some precious and pleasant hours were spent in our little apartment. To some who, with little ceremony, broke in upon our retirement we endeavoured to tell something of our object and message. The Chinese are without an exception K'hek men. The great mass of them do not speak or understand the Malay language to any extent. Near the mine which is in the neighbourhood of this dwelling is a small structure, which answers for a temple. Here incense sticks are burned and worship offered to the idol deities to ensure success in mining operations.

We much regretted that our little stock of tracts was exhausted and that we had none to leave in this place.

Monday. *May 4.*—With regard to finding Dyak villages near Perhentian we were disappointed. * The nearest of any consequence are more than half a day's journey distant, and the paths leading to them very bad ; so that neither our time, nor the condition of the feet of many of our party, which had become quite sore by travelling, would admit of our visiting them. We saw a few Dyaks at the place where we stood, one of whom could speak the Malay language well. The Chinese call the settlement where we spent the Sabbath, *Ti nam*. Less than an hour's walk from this place brings the traveller to another district called Man Fo. Here are two or three mines, one of which was formerly very productive, yielding, it is said, at a single taking up, five hundred Bungkals. Sixty were taken up at a single time quite recently. The inhabitants in this immediate vicinity, miners, traders, and all, is estimated at three hundred.

On our return to day from *Ti nam*, we found that while the jaunt in losing its novelty had lost much of its interest, at the same time owing to

The heavy rains of yesterday and the day before, swollen streams and flooded low lands added much to the difficulty of travelling. We again saw some Dyaks returning from the seat of war. Their weapons were generally a sword or long knife, a spear and shield. We saw a few with fire arms. About 2 P. M. we reached Kwala Pantu.

May 5. This morning, in company with the Capt. Chinaman, we left Kwala Pantu for town. On the way the Captain again asked respecting the Saviour, and made further enquiries with regard to our native land. He seems to have an inquisitive, and rather an enterprizing mind, and is evidently far more disposed than the mass of his nation to adopt the improvements of Christendom. On our way up, we passed the mouth of a small creek, which was pointed out to us as the outlet of a diamond mine in the immediate vicinity. We also stopped on the left shore to see a small coffee plantation belonging to the Gezagebbu of Landak. It was in many respects like the vineyard of the slothful, and exhibited unequivocal tokens of neglect. Evidently little or no pains had been taken to clear the ground of weeds or to enrich it. There was a want also of that friendly shelter so essential to the swift growth of that shrub. Still the fact that many of the plants looked well, despite of these disadvantages, furnishes proof of a soil congenial, and shows that with careful culture they would flourish here. We have seen the Landak coffee in market at Pontianak. It is of inferior quality; but whether this arises from some defect in the soil, in culture, or in gathering, we know not. We have heard it attributed to the latter. It is said to be gathered before it has reached maturity.

An interview was sought with the Penambaham this morning. Owing to pressure of business as he said, the hour of two P. M. was appointed for audience, but the intervention of a shower delayed the interview until near three o'clock. After a little detention at the Penambaham's gate, while the table was covered, the mats spread, &c., by his attendants within; and a still longer detention in his hall, while he was engaged in his devotions, praying perhaps that he might not be contaminated by coming in contact with "an infidel;" or to show his visitors how pious he was, for it was not the usual hour of prayer;—the Penambaham made his appearance. After several of his questions respecting the difference between the Mahomedan and Christian religions had been answered, the question was put directly to him whether he was willing, that missionaries should settle in Landak or not. He gave no direct answer. He was then asked if he was willing that the children of Dyaks should be instructed. He seemed to think more favorably of this, and replied that when the difficulties with Tyan were settled, he would seek some Dyak children and send them to Pontianak:—that one should be instructed previously that he might become his secretary, and that if this experiment turned out well, he would send more. But, alas! it is to be feared that he

will soon forget his promise, or, if he remembers, be slow to fulfil it. What kind of instruction the Penambaham values most may be gathered from such questions as the following :—Whether the children would be taught to manufacture writing paper, sealing wax, &c., as these were articles which he very much needed and found it difficult to procure. May God in mercy open the hearts of those in authority to give the missionaries of the cross access to the poor Dyaks. If the rulers oppose, but little, humanly speaking, can be done for them.

May 6th. This morning taking a light boat belonging to the Gezaghheber, with a few men to propel it, we set out, between seven and eight o'clock, to go a mile up the river. The Landak is here about fifty yards wide and skirted on each side by fruit trees of various kinds. Among these the durian holds a prominent place. The river bed is here very rocky, offering in the driest season a great impediment to navigation. It is very quickly and greatly affected by rains. The banks where the town is situated are some ten or twelve feet above the present level of the stream, but a few days of continued heavy rain are sufficient to make it overflow its banks, and a week without rain would make it fordable. Just after leaving town we passed on the right a woody hill rising precipitously from the waters' edge. Here, says our old friend the officer of the Gezaghheber, is a large rock which, like the one in the vicinity of Scaddan, is peopled by a kind of spiritual beings. This, however, he has from the reports of others, having never visited the rock himself. He would not dare, he says, to do so, as all common people who are so rash as to visit it, pay for their temerity by a subsequent fit of sickness. It is only a privileged few who may go with impunity, including the men in authority, the wealthiest classes, and the *hajis*. The Penambaham prohibits indiscriminate visiting. These inhabitants of the rock have, it is fabled, greatly enriched some of those who have gone to visit them for purposes of trade. Our Landak boat-men, although they have lived for years within a few hundred yards of this cavern, over which such a cloud of mystery hangs, are ignorant of its precise situation, and so fearful, that no arguments could prevail on them to go with us in search of it.

Two hours rowing from Landark brought us to *Munggo*—a Malay settlement situated at the junction of two streams of nearly equal size, which form the Landak. One of these is called *Sungei Jawbu* or *Batang Kahaus*, and the other *Menchuki* or *Batang Kiri*. The first mentioned flows from the East, and the latter from the North West. On the *Menchuki* the Dyaks are probably more numerous than within any other part of the Penambaham's jurisdiction. *Munggo* is a settlement early of date. It had an existence anterior to, and furnished the germ of the present town of Landak. Formerly it was the home for many years of a race of

Malay rajahs, whose ashes rest in a Keramat, or place of sacred graves, a few miles down the river. But though once a place of considerable note and a respectable population, since the settlement of Landak, it has dwindled down to an insignificant village of some six or eight dwellings. The situation is high, somewhat romantic, and the soil apparently good. Going ashore on the point of land formed by the junction of the two streams, abovementioned in company with a Javanese, by name *Sidin*, who resides here, we visited two famous field pieces, stationed on a neighbouring eminence, famous not on account of any qualities of intrinsic greatness, for they are of small calibre, probably about eighteen pounders, and of common form; but they are rendered famous in the annals of Malay history, by the wonderful achievements which are attributed to them. Arrived at the spot a glance convinced us that they were great favorites. While all around the lalang grass waves in wild luxuriance, the spot on which they are mounted a few feet from each other is kept carefully trimmed down and clean. Our Javanese conductor now, with drawn sword in hand, discoursed most eloquently of the wonder-working powers of these pieces. He says, they reached this place from Bantam on the island of Java, by their own unaided loco-motive powers. Nor is this all. According to the same authority, they go down to the river's edge (a few rods distant) and return at pleasure, load and discharge themselves, and perform various other feats too numerous to mention. The Panambahan, he says, recently ordered him to place on this spot, as an offering, yellow rice and fowls. These wonderful pieces it seems appeared to this Malay sovereign in a dream, and warned him not to move them, or suffer them to be moved, on penalty of their displeasure. A Dutch gentleman who formerly visited this place, having treated them with undue familiarity, was immediately seized with disease as the punishment of his crime. Stories so exceedingly absurd and contradicting so plainly the evidence of the senses, would be unworthy the place they occupy, and the time employed in recording them would be worse than thrown away, did they not serve strikingly to exhibit the ignorance, superstition, and blind credulity of the people. They are told, with as grave a face, and listened to with as much attention as if every item of the ridiculous farrago could be substantiated "by confirmation strong as proofs from Holy Writ." Nor is this mania for the marvellous disposing its victims to swallow down every thing that comes to hand with an avidity increasing in the direct ratio of the increase of the incredibility of the narrative confined to an ignorant few, but affects with few exceptions the whole mass of the Malay nation. It is not restricted to the "ignobite vulgus," but its influence seems to be equally felt by Prince and people.

After leaving this place we proceeded up the right branch. A succession of rapids, in which the water was dashed into foam as it passed

from rock to rock, now made our way quite perilous. At one time we struck upon a rock from which it required much care and considerable exertion to extricate ourselves. At another time we were obliged to step out upon a rock, to allow our little boat to be drawn through a small and shallow strait, which seemed to present the only safe passage in the stream. About eleven o'clock we reached, at a place called *Sebabet*, the larnest rapid we had seen in the Landak. Large rocks here, extending quite across the bed of the stream, form a kind of semicircular basin, into which the waters fall. The whole fall of these rapids is now probably not more than six feet. In the dry season it is undoubtedly something more. But as it is, the width of the stream, and the volume of waters that pass, dashing, whirling, and roaring along these rocky passage, constitute a scene by no means destitute of sublimity. On the left shore is a rock extending half way across the stream, on which we stood to look at the rapids. In this rock are a great number of apertures of various form and size, apparently worn in them, by the whirling of the waters, which have left in them large deposits of sand and pebbles. Our men took out some few handful, and spread them upon the surface of the rock, to search for diamonds. But their toil was unrewarded by any of the precious gems. It is said however they are some times found here. Some Dyak boatmen were just reloading their boat, having taken out its contents, and drawn it over the large rock, where the traces left its keel discernible. Near the opposite shore boats are sometimes drawn up the rapids by means of ropes, but these men preferred the way of which we have just spoken, as being the safer, though perhaps the more toilsome method. Many persons, it is said, have been drowned in this place. The native officer of the *Gezaghebber*, who is with us, says he was once thrown into these whirling waters by the capsizing of his boat, and arose from them again at a rock some little distance below. A few years ago a Captain Chinaman of Landak was drowned here, whose death presented a striking exemplification of the "ruling passion strong in death." When he fell into the stream he was holding his money box, which he clung to with so tenacious a grasp even in the agonies of death, that when his dead body was picked up some distance down the stream, the precious treasure, by him deemed, as it would seem, dearer than life itself, was still found in his embrace. As he was a good swimmer his life, in all probability, might have been saved, could he have consented at the trying hour to a divorce from his coffer. But to save his treasure he lost his life, and fell at last a victim to the "*Auri Sacra fames*"—the ruling passion of his nation.

Such are considered to be the difficulties and dangers of ascending this river, that the goods designed for the interior are carried in large quantities by coolies, by a path, on the banks of the stream. As we found that our passage further up in our little boat was likely to become increasingly

tedious, and perilous, and as the recent hardships of travel had disqualified many of our party from trying the footpath, we concluded to return. Our little boat dashed along with great rapidity, and we soon found ourselves again at *Munggo*. Here we passed up the left branch a little distance to a place called *Sepat*, where the waters of this stream pass down a rocky but gradual descent of some three or four feet. A little below *Munggo* we visited some small diamond mines. A Malay man, who lived on the bank of the river, became, though apparently at first with some reluctance,—our conductor. The first mine visited was small, and at present is not worked, if we except the labors of, a solitary female, who was sitting a few feet from the excavation, with her wooden dish in hand, searching for diamonds. There was another mine where the excavations denoted operations more extensive, and of longer date. Here several individuals were engaged not in excavating, or making use of soil recently thrown out, but in hoeing, raking, and carefully looking over a second time the sand and pebbles which have received one trial. Theirs seemed to be quite a fruitless toil. The appearance of the soil is much the same as that of the gold mines—excepting that besides the small white pebbles commonly intermingled with the gold, the diamond mines abound with black and dark colored pebbles, which are said to be an unfailing indication of the existence of diamonds. “They are,” said our Malay conductor, “to the searcher for diamonds what the compass is to the navigator.” It seems also, to be a well authenticated fact, that all diamond mines contain some gold, but not in sufficient quantity to make it a matter of search while the mines worked for the sake of their gold contain no diamonds. The method of working and separating the precious stones from the earth and sand, is similar to that employed in the gold mines above described. The mines both gold and diamond are generally discovered by the Dyaks, but seldom worked by them, as they seldom receive the profits arising from them. If they work in them it is for their Malay masters.

Near town we ascended a steep hill, from which the familiar peak of *Tiany Kandany* was again seen. In a retired spot behind this hill we found between twenty-five and thirty Malays and Dyaks, male and female, engaged in digging for diamonds. Their mode of digging was a little peculiar. They sink round and square holes in the earth just large enough to admit a person to enter and work comfortable.

Arrived at the soil which indicates the existence of diamonds, they take it out and try in the manner above described. The diamond stratum here did not appear to be more than six or eight feet from the surface. We enquired if they had obtained any thing as a reward for their toil. At first they seemed loth to answer. Apprehensive that they might perhaps consider us speculators, and that to reveal to us the riches of their

secluded valley might be fatal to their future gains, we informed them that our only motive was curiosity. One of the principal Malay men then produced a quill from the bottom of his basket, in the end of which were two diamonds not much exceeding in size a pin's head.

Between two and three o'clock we reached the house of the Captain Chinaman, in the kampong. During the afternoon gave away many books to Malay applicants at the house.

As we expect soon to leave Landak, and have probably seen about as much of the town and its vicinity as we shall, this seems to be the proper place to enter a little more into detail respecting it. The town as before remarked stands on the left bank of the river, where it is fifty or sixty yards wide. Its distance from Pontianak in a direct line cannot differ much from eighty miles, but following the course of the river, it is nearly double that. Though long settled it bears few marks of antiquity. The imports are salt, cloth and iron, which are sold to the Chinese and Dyaks of the interior. The exports are chiefly timber for building, dye-wood, wax, rattan, gold-dust, and diamonds.

The chief traders are Bugis. An Arab of Pontianak, while we were there, asked permission of the Penambahan to build a store-house and carry on trade more extensively, which it was expected would be granted.

The vicinity of Landak is distinguished more than any other part of the island for its diamond mines. They are not only brought down to Pontianak for sale, but are made something of an article of trade to other parts of the Archipelago. Gold is also found in considerable quantities. The Captain Chinaman of this place estimates the quantity taken yearly from the mines of Landak and Mandoor at about one thousand Bunkals. But notwithstanding the value of the gold and diamonds that have been and still are dug from the bowels of the earth, it is to be feared that the mines are rather a curse than a blessing to the inhabitants of the island. Such is the thirst for mining in the mining districts, that the cultivation of the soil is almost entirely neglected. Very few are enriched by them, and the multitude but little more than procure a subsistence. The cry of poverty is at every place prevalent, and if we may judge from appearances there is good cause for it. They say they have no profit from their labours. This, however, in many instances may be accounted for. They consume it upon their appetites. With some it has been wholly a losing business. After a large outlay of money in the purchase of tools, the erection of machinery, the hire of workmen, &c., it often happens that the golden visions of the projector are not realized, his workmen desert him, and the mine is abandoned. It is not an employment which may be depended on as yielding certain returns like agriculture, and the mechanic arts, realizing the

words of the wise man. "The hand of the diligent maketh rich," but a kind of lottery in which there are many blanks and few prizes—a business in which the mind is kept vicillating between the intoxication of splendid success and the despair of utter failure.

The inhabitants of Landak, like those of *Sungan* and *Sintang*, do not cultivate the soil. Not a single garden or plantation worked by a Malay did we see in or about the town. All the inhabitants, except the priests and those of royal blood, are engaged in trade or connected with the mines. Only one China-man devotes his whole time to gardening, and he appears to be amply rewarded for his toil, though he has been but a year or two engaged in it. For rice and many other articles they depend chiefly on the Dyaks, but as they do not furnish sufficient for the consumption of the place, rice is every year brought in from Pontianak, to supply the deficiency. The Dyaks of Landak are said to be far more indolent than those on the *Kapuas* and its branches. From reasons already mentioned there is often a scarcity and never a great variety of provisions at Landak, rice and a little poultry forming the principal articles of living for months. For four or five months in the year, from August or September until December, they have fruit in abundance, and much of it of the best tropic varieties. These fruit trees, however, are all of spontaneous growth, and as they pay no attention to the cultivation of those fruit trees, such as the shaddock, guava, plantain, &c, which bear fruit at all seasons, they have not a constant supply, as is common in many places in the East.

The number of Dyaks under the Penambahan of Landak can be more correctly estimated than those of perhaps any other of the native princes. The Dutch government, by means of the Gezaghebber, endeavour to keep a regular census in this place. The Gezaghebber informs us that the number of families registered on his books is 3,000; but as the houses of old and infirm persons are never reckoned, we must add a few more. If now we reckon five persons to a family, which certainly is a low average, we have between fifteen and twenty thousand souls. Most probably the population falls but little short of the latter number. This population, however, is very much scattered. A few hours walk will bring one to the nearest kampongs, while the farthest cannot be reached less than in five or six days, travelling fifteen or twenty miles a day.

May 7—Made our parting-call to day on the Penambahan. We went to his house at 8 o'clock, but were detained until near 9 before we could obtain an audience. He is, it would seem, by no means distinguished for his habits of early rising, and after he is up, a long time must be spent in the customary ablutions, before he is prepared to see company.

Upon our entrance the grandson met and entertained us until the appearance of the grandfather. During this morning's interview, the Penambahan seemed friendly and again renewed his promise to obtain Dyak children and send them to Pontianak to be instructed. In the course of conversation he spoke much of the Mohammedan doctrines, particularly those respecting the end of the world. In answer to our inquiries why he did not visit Pontianak, he replied that it was so ordered he could not at present, but when it was the Divine will he would go. The doctrine of predestination is by this people distorted and carried to the extreme of fatalism. They make it an excuse for neglect and laziness, and even dare sometimes to plead it in extenuation of crime.

After our return we gave away the last Malay tract brought from Pontianak for distribution. All the tracts here given have been eagerly received, and what is a pleasing reflection, all who received them seemed to be good readers. About two-thirds of the adult male population it is said can read, and what is more, a considerable number of the females. This cannot be said, as far as our knowledge extends, of any of the Malay town in the East. Some too who called for tracts manifested a better spirit towards Christianity than most Mahomedans. This was especially true of some Bugis men.

About noon took leave of our kind host, the Captain Chinaman, and embarked in a small boat we had hired to take us to Pontianak. In the course of half an hour we passed *Kwala Pantu*. The next stream that falls into the Landak is the *Kakerongan*. At its mouth are a few Malay dwellings. It is said to be navigable for small sampan a day from this place. Just before sun down, we passed the mouth of the *Semata*; the small stream which we crossed midway between Sabu and Landak. Not far from this place, we observed on the left bank of the streams, spot of very red soil. According to Malay tradition, this place was formerly noted for cock-fighting, which was carried on to such an extent, as to stain the soil, and thus leave indelible traces of the cruel sport. Another specimen of the credulity of this marvel-loving people.

About six o'clock we reached *Sabirang*, a settlement of some twenty or thirty Malays. Here we found the boat of a Malay devotee named *Ya Sahib*. He seems much in reputation for his sanctity. In accordance with a vow he has taken, he eats no rice. We did not hear that there were any other kind of food from which he religiously abstains. As rice is the main article of diet among the Malays, to abstain entirely from it for reasons of a religious nature, is deemed a great virtue. We have heard

much about the singularity of his appearance, but did not get a sight of his person. He is said to be very successful in deer-hunting, which is, by the natives, attributed not to him, to *Sanku* or *Sankunang*, a settlement distant half a day from this place both by water and land. It is in the neighbourhood of *Sankunang* that the Landak forces have assembled, are erecting forts and making preparations to meet the enemy. The history of the present disturbances between Tyan and Landak, as far as we can learn, are as follows :—

About a year since a Dyak or Dyaks of Landak decapitated a Dyak of Tyan. The Penambahan of Tyan did not investigate the matter, or demand satisfaction for the man killed, which according to a treaty previously entered into between himself and the Penambahan of Landak, and ratified by the Dutch Gezaghhebbers of both places, he ought to have done. A few months since, another Dyak of Tyan was killed by a Dyak belonging to a kampong of Mempawa, under the kongse of Mandoor. This matter also the Penambahan failed to investigate according to the terms of the existing treaty. Subsequently a party of his Dyaks attacked a village under the jurisdiction of the Penambahan of Landak, the inhabitants of which had nothing to do with the previous decapitations—burned the dwellings and destroyed the paddy in the vicinity. The sovereign of Landak demanded reparation from his Malay majesty of Tyan, which was peremptorily refused by the latter, and both parties commenced in earnest the hostile preparations which are still going on.

May 8th. Owing to the leaky state of our boat, our men continued rowing all the past night. There has been little to attract attention in the scenery to day. We have found the Landak thus far, a very winding stream. We have passed the mouths of a few tributary streams, none, however of any considerable size. Occasionally also large plantations of fruit trees, particularly the plantain, line the banks. A large amount of the supply in the fruit market at Pontianak, is drawn from the banks of this river, and its branches.

May 9th. This morning about four o'clock arrived safely at Pontianak.—*Singapore Free Press*, Sept. 16;

THE BRITISH ON THE HINDOO-KOOSH.

(Continued from our last)

IV—OUR FRIENDS.

During November and the early part of the following month, but little occurred to interrupt the monotony of our existence. The winter gradually increased in severity, but we were now able to bid defiance to the frosts and snows of this dreary region. The troops were all established in winter quarters as comfortably as we could expect. Our apartments were certainly not very elegant, but they afforded shelter from the weather, for which we had sufficient cause to be thankful, without being over particular about appearance; when we first entered our forts, we found our houses not very well adapted for keeping out the chilling winds of winter; but a few panes of glass (for plenty of Russian looking glasses were procurable at Cabul, and these were easily convertible into window-panes) soon remedied that evil. Our quarters were mostly in upper storied buildings, while the soldiers' barracks were on the ground floor; these last were unavoidably much crowded, but they were warm, indeed, almost insufferably so, as they were better protected from the wind by the high walls of the fort, than were our own, and the natives generally preferred an atmosphere of smoke to the admission of a cold wind.

On the same day that the detachment moved against Gholaum Beg, Major Eldred Pottinger, accompanied by Dr. Ritchie, arrived from Herat. They had journeyed from that place by a very circuitous route, passing by Meimouna and Andkhoe, on the road to Balkh, but before reaching that place, they changed the direction of the route, and traversed the mountainous regions, skirting the Balkhab and the country of the Deh Zungee Hazarehs. After remaining with us a few days, the travellers resumed their journey to Cabul. About the same time a Mr. Campbell, who had been for sometime in the service of Dost Mahomed, passed through on his way to join Shah Shoojah, and many other former adherents of the unfortunate Ameer followed him.

The expulsion of the Wallee's troops from the valley of Syghan, had the effect of opening our communications with Toorkistan; and various diplomatic efforts were now made, which had for their object the capture or surrender of the Ameer; but, unfortunately, these negotiations were unattended by success. It is certain, that the natives of Central Asia, have on some points very strict notions of honour; for though Dost Mahomed has been at different periods in the power of the Affghan, the

Usbeg, and the Hazareh, and though large sums have been always offered for possession of his person, yet no one has been found base enough to betray the fugitive monarch, though he has trusted himself among those who were at one time his open enemies.

Towards ourselves, too, many of the tribes have shewn this honorable feeling, which it is hard to reconcile with the perfidy at other times displayed. I will instance, as an example, the fact of two British officers having, during the month of July, 1840, (at a time when the Usbegs were already commencing hostilities against us, travelled to Kooloom in perfect security) though only guarded by some thirty Affghans. At that place they were treated with the utmost hospitality, and frequently met in amity, the Mir Wallee and Mahomed Afzul Khan; yet a very short time afterwards these chieftains were opposed to us in the field. Again, officers have been known to travel alone and unguarded through the whole extent of the Ghilzie territory, sleeping in the forts, and treated with every kindness by the inhabitants, though this people knew perfectly well, that in a few months their country would be the scene of warfare; in the winter they received our wandering officers with hospitality, in the spring they drew their swords against us; they seem fully to mark the distinction between the confiding guest and the enemy. But it is not only in the Ghilzie and Usbeg countries that this feeling has evinced itself; it has been the same, wherever our countrymen have travelled as peaceable individuals, in Kohistan, in the Khyber, and among the wild hordes, who dwell between Ghuzni and the Indus; and this too, at a time, when the British troops are seated like an incubus upon the land. I do not think it fair to call the Affghans and others, "murderers and thieves," because they hang upon the skirts of our camps and troops on the march, seeking for plunder, and slaying our stragglers. Among all uncivilized nations, and even in some parts of Europe itself, this system of warfare is common. However abhorrent it may be to our notions, the deliberate putting to death of an unfortunate straggler, yet, we should make some allowance for the peculiar notions of barbarians, remembering that they are fighting for their liberty, and look upon us as aggressors, who have made our selection, preferring enmity to friendship.

Opposed to this honorable hospitality, we have many glaring examples of perfidy; but *our* Affghan friends have, I am sorry to say, been generally the biggest traitors in the country. The first chieftains of any note, who joined our own party, were tolerable specimens of the genus; I allude to Hadji Khan Kakur, and Hadjee Dost Mahomed, of Gurmseer. I regret, that I cannot give a good account of our adherents, but the fact is apparently, that we have gathered the *scum* of Affghanistan. We have a very good instance of honorable feeling (!) in Abdool Rusheed

Khan, the most depraved of Dost Mahomed's family. This man is a nephew of the ex-Ameer and son of the Topshee Bashee : he and his two brothers (Ameer Khan and another, whose name I forget) deserted at Ghuznie,—they complained of the treatment they had always received at Dost Mahomed's hands,—or rather he, Abdool Rusheed did. This, I believe, to be so far true, that he was always in bad odour with the Ameer, on account of his debauched habits. He joined our party at Bamian in November or December, 1840. We found him a rather agreeable and intelligent man, as long as he remained sober. He used frequently to visit and occasionally dine with the Feringee log, but he almost invariably drank himself into a pleasing state of insensibility to all that passed around. Such being, as I well know, the character of the man, I am not at all surprised that the Ameer, who has of late years set such an example of sobriety to his subjects, should have taken a dislike to him. Abdool Rusheed remained faithful to us ; whatever his inclination may have been, he wanted both the opportunity and the *courage* to become a traitor. Not so, Ameer Khan ; for he deserted us in August, 1841, and joined his uncle. As for the third brother, he was a mere boy—he could not have been more than 16 or 17 years of age, at the time of the capture of Ghuznie ; therefore, I do not cast any reproach on him for deserting the head of the family, as he was most probably led by his eldest brother. I shall have occasion to speak of Abdool Rusheed hereafter.

It is a sad contrast. Shah Shoojah and Haji Kakur our friends—Dost Mahomed and the “ good Nawaub” opposed to us ! We have a singular *penchant* for espousing the unpopular cause ; we did so at Cabul and Kelat, at which places we established our pitiful puppets, Shah Shoojah and Shah Newaz ; we continued the game at Pushut ; and in Teor-kistan our most particular friend was an exiled monarch. Baba Beg, of Heibuck* had once been ruler of Kooloom, and had been expelled from that place. He “ is a son of Khilich Ali Beg, who once ruled in Kooloom with great moderation ; but the child has not imitated the example of his parent. He poisoned a brother at a feast and seized upon his father's wealth before his life was extinct. He had greatly augmented the difficulties of Mr. Moorcroft's party ; and was known to be by no means favorable to Europeans. His subjects had driven him from his native town of Kooloom for his tyranny, and he now only possessed the district of Heibuck.” (Burnes, vol. ii.) But whatever may have been his crimes or his behaviour towards Moorcroft, he proved an useful, and, for a long period, a faithful ally to us. In diplomacy, the character of the individual whom we employ, is not a material consequence, so long as he remains

* Heibuck, is situated in the valley of the Kooloom river on the route from the Kara Kotul to Tash Koorghan. The fort (of sun-dried brick) is perched on an insulated hill in the centre of the valley.

faithful to the cause in which he is engaged—if the workman cannot get good tools he must work with bad. And such was our unfortunate situation in Central Asia, that we could but rarely engage the services or acquire the friendship of any but the bad. Baba Beg, no doubt, was a man of bad character, but he had a very redeeming *virtue*, he was an enemy to the Wallee, and always gave us plenty of information, which generally proved correct.

As a contrast to our friend of Heibuck, let us look at the Mir Wallee, who now occupies the throne formerly held by Baba Beg. I cannot but admire the character of the prince of Kooloom, for the generous conduct he pursued towards the fugitive Ameer. Scarcely a year had elapsed since the two powers had been at war, yet the Wallee received him, who had been his enemy, with a warm welcome and outstretched arms; “he took him in, he fed him, he clothed him,” and, as a crowning mercy he aided his attempts to recover the throne with his whole power. He gave up for a long time, a considerable portion of his revenues, to wit the tax upon casilas to support the Nawaub and the family of the Ameer. I have heard that he was, in some manner, a debtor in gratitude to the Dost, but I do not know what act of the latter, had established a claim to his offices. But whether such be, or be not the case; whether the Mir Wallee was actuated by gratitude or generosity, or by an inward feeling, that it was his duty to support the cause of a fallen Prince of the Moslem faith, or by these three motives combined, (which is perhaps the most probable suggestion,) I consider his chivalrous devotion, until he found all efforts fruitless, alike honorable to the Prince and to the man.

Our immediate neighbours, the inhabitants of Bamian and its vicinity, appeared to be a quite and orderly race of people. The lower orders especially were friendly and inoffensive towards us, professedly preferring the presence of our orderly troops, to that of the rude Affghan soldiers, who had formerly been quartered in the valley, and who were wont to oppress and lord it over the less warlike cultivators of the soil. They shewed a decided partiality towards British arbitration, for they almost invariably appealed to the justice of the Agent, instead of to that of the Affghan Governor. Such I believe also, to be the case in various other parts of the country, for these native superintendents are not much famed for even-handed justice; the longish purse carries more weighty arguments than the clearest evidence; and the principal object with these gentry appears to be the *screwing* as much money as possible, out of the unfortunate *ryots*. The Hakim, whom we found established at Bamian, on our arrival, was recalled, on the representation of Dr. Lord, before the close of the year. But there was one class of people to whom our coming was by no means agreeable; they considered us as interlopers and industriously endeavoured to create a party against us; these were the chiefs, influential men of

the valley, who, albeit they had no particular fault to find with us, felt their power was weakened, and independence threatened by our presence : no doubt, too, they yet retained some attachment towards the old *régime* under which they had often enjoyed an immunity from taxes through the inability of the Governors to coerce them. These men, a short time after our arrival, united and formed a conspiracy against us ; but, fortunately, their plans were timely discovered and frustrated by the Political Agent, Dr. Lord.

V.—OCCUPATION OF SYGHAN.

But little snow fell in the valley in the month of December, but the lofty hills encircling us were clothed in one sheet of white, save where rose some dark sharp ridges, which presented no resting place for the flakes. Before the 15th, the passes over the Hindoo Koosh were closed against all but footmen, and consequently our communication with Cabul, became less frequent and more difficult. But the roads leading to the northward were still open, and it was about this time, or rather earlier in the month, that we received reports from Toorkistan, which again interrupted the quiet tenor of our lives. In the course of the preceding month, we heard that the Dost had been meditating a flight towards Persia, notwithstanding several urgent solicitations or commands from the King of Bokhara to repair to his Court. On the 9th December, intelligence reached us, that the Ameer had quitted Kooloom, enroute to Persia ; but that he had been compelled to relinquish his projected journey, and to betake himself to Bokhara ; and soon afterwards we heard that the Wallee was bent upon attacking Kanurd ; and that the Ameer ool Moomuneen (His Majesty of Bokhara) had offered his daughter in marriage to the ex-chief of Cabul, with the Province of Balkh as a dowry ; and that, at the same time, he promised to aid the fugitive monarch towards the recovery of his dominions, by despatching forth with an army of 12,000 men to overwhelm the garrison of Bameean. Now, although much credence was not due to such a report, yet it was not altogether unworthy of consideration. Prudence is by no means a bad quality, when it is not allied to fear ; all of our little Society at Bameean agreed that, though the march of an army from Bokhara to our valley was by no means a probable event, it would be advisable to take such precautions as lay in our power, and to strengthen our position as much as possible.

The time had now come, when our little detachment of scarce 700 bayonets was entirely thrown upon its own resources : we knew that no aid could come to us : grim winter with his frosts and snows had barred all access to our valley from the Cabul side, we were alone, and exposed to the attacks of all the hordes of Tartary. It was on a consideration of these peculiar circumstances of our situation that it was determined to

construct intrenchments capable of resisting any attacks of an enemy unprovided with artillery. Our position was not a particularly good one, in a military point of view, being overlooked and commanded by hills on either side, at distances respectively of about 600 and 350 yards; yet no more favorable spot could be found in the valley, the distance between the hills being there at its utmost extent, and our three forts being so placed as to afford mutual defence, (forming as it were, the three angles of a triangle) and to command access to either river. The table land above would have afforded a much stronger position; but the idea of forming intrenchments there could not, for a moment, be entertained at that period of the year, as there was no shelter for our troops. Dr. Lord, although he fully concurred in the advisability of erecting the proposed breastworks, was dissatisfied with the position on account of the defects noted above; and it was partly with a view to reconnoitre the neighbouring valley of Syghan, in hopes of finding there a more favorable spot, and partly on account of the moral influence which he expected a forward movement would create, that he determined on proceeding in person to Sar-i-Sung, accompanied by a detachment, eventually destined to garrison that fortress.*

Dr. Lord was a man of considerable genius, and one of the most talented among our *diplomats*, but his restless and ambitious nature frequently led him into difficulties, which a more cautious, but less daring politician would have avoided. In the time of danger, a bold aspect frequently averts perils, which inactivity or wavering would increase; but the effect is rarely lasting. The objections to the advance were, that, our detachment being already weak, it would be imprudent to weaken it still more by separation. Lord, on the other hand, urged that a threatening movement would be far more likely to deter our enemies from molesting us, than defensive measures at Bameean; he also pointed out that the garrison of Syghan would have no difficulty in falling back upon the main body, in case of real danger; and his arguments were certainly not devoid of reason; the Usbegs seeing us making fresh conquests, would naturally suppose that our strength was greater than they had supposed, and that our ultimate intention was an advance even into the plains of Toorkistan. Moreover, the influence, which such a movement might have upon the proceedings of Dost Mahomed Khan, was not to be forgotten, and Lord never lost sight of this, the main object of his mission.

Such were the principal arguments for and against the movement. As a political measure, it was not a bad idea, and had the effect expected; but in a military point, I cannot but think that such a scattering of

* The agent sent an application to Cabul for a reinforcement of four Companies of Infantry; but, as expected, the supply was refused.

our small force was imprudent ; it was urged that the party could fall back when menaced with danger, but it should be held in mind, that retreats in such a conjuncture do more real harm than the previous advance could have effected of good. On looking back at a former chapter, I see that the reasons which I have advanced *in favour* of this demonstration, resemble in a degree some of those before given, with regard to the effect likely to result from the chupao upon the Uzbek horse : the forward movement, in either case, was calculated to impress upon our foes a great idea of our power, but in the *occupation* of Sar-i-Sung, a fault was committed as thereby the Usbeks had opportunities of learning our weakness instead of our strength. The troops should have been withdrawn after the reconnaissance had been completed.

The party (consisting of two Companies of Infantry and 25 troopers as Cavalry, with two mortars and a 3-pounder gun) left Bameean on the 17th of December ; and about the same time the intrenchments were commenced under the direction of Lieutenants Broadfoot and Mackenzie.

The road, after crossing the river, immediately opposite the fort, passes in front of the big image, ascending a slight rise ; then leading due west, it skirts the base of the low sand hills bounding the valley on the north. At about four miles the distance between the hills varies but little, being about half a mile ; the valley is well cultivated sprinkled here and there with small mud forts, on either bank of the stream, which serpentine nearly in the centre of the valley. The red hills on the right hand side of the road are pierced with numerous caves ; they are everywhere tolerable easy of access, and some dry, stony *duarrah* penetrate several miles into their bosom. On the left the hills are steeper, and for a considerable distance, there is but a narrow *wall*, not of rock, but of clay, which separates the vale of Bameean, from another, which is dry and barren, and which leads to a singular rock (on the summit of a small table land) which is called the " Uzdar " or Dragon. The rock presents some resemblance to the scaly back of a huge crocodile, and from that part, which corresponds with the head of the animal, issue some mineral waters which have an exceedingly curious effect upon the rock, which in one place receives a deep red stain from the action of the water, while in another spot, it is of a snowy white from apparently the same cause, though the effect is so different. Near the head of the monster there are several remarkable white cones of some mineral substance, and which are known by the natives as " the dragon's teeth." The Bameeanchis have a singular tradition accounting for the origin of this curious rock ; they relate that the valley was for a series of years the scene of the ravages of a monstrous dragon, whom none could overcome, until Ali himself made his appearance, slew the monster, and turned it into stone. and now " blood issues from one eye and tears from the other." The spring is visible from

parts of the Soorakhdurrah road ; and the waters sparkle brilliantly in the sun, like rays reflected from a polished mirror.

The open valley terminates suddenly at a distance of about four miles from Bameean, and the road enters a narrow gorge, scarce fifty paces broad, enclosed by lofty walls of rock. On immersing into this defile, a most striking change in the atmosphere was, experienced by all, for the lofty cliffs kept off the genial rays of the sun, and a chilly wind blew through the dreary passage ; beneath us the crisp snow crackled under our horses' feet, while above the beetling crags seemed momentarily threatening to overwhelm us in their ruin. The gurgling stream, its banks here fringed with ice, wound from side to side, washing alternately the rocks on either hand, so that our narrow road now ascended, now descended, sometimes passing over a snowy patch of tolerable level ground between two bends of the river, at other times being cut in the face of the rock itself, to avoid the necessity of fording the cold rivulet. Through such a glen our party travelled for a distance of some two miles, when it suddenly, bending to the right of a tortuous road, led by a steep ascent, to the summit of the hills forming the immediate margin of the defile. But we had not yet reached the highest point of our march, for to a short space of level road, succeeded several ascents less steep, however, than the previous one. Looking back, we obtained a glimpse of the Bameean valley, with its forts and leafless groves ; while on the south the loftier range of hills was visible, stretching in a long line from east to west. Our mountain road continued for upwards of eight miles ; at times we passed over bare ridges, sloping towards the South and thus deprived, by the direct rays of the sun, of their wintry covering, anon descending into deep, snowy hollows ; then clambering up the rocky bed of a mountain torrent, where the partially frozen stream rendered our upward progress a task of some difficulty, we entered a small *chunnun* (or plain covered with long dry grass) entirely enclosed by hills : crossing the ridge upon our left, by an easy road, we descended into the dreary valley of Ak-Robat, after a march of 15 miles. Here we rested for the night. At the time of our arrival, the sun was fast descending behind the opposite hills, though it was scarce 4 o'clock P. M.

This valley runs north and south, and is about a mile in length, and 300 yards in breadth. It is a most desolate spot, boasting of a few patches of sickly cultivation ; but I do not wonder at the pooriness of the crops, the only cause of surprise is that the inhabitants should succeed in raising even a single ear of corn, for the valley appears to *enjoy* a perpetual winter, and I am not quite certain whether its December frosts or the bitter north winds of August are the most to be dreaded.

There is but one fort in the valley, which belongs to a Hazareth chief of the name of Ramzan Beg. The exterior of this building did not

present a very promising appearance, yet here we established our headquarters; the worthy owner having given up to us one of the huts inside. We had not, however, undisputed possession of the place for sundry cows and a stray donkey seemed to labour under an impression that they had some claim to the apartment, and frequently intruded on our small party, there being an easy communication between their quarters and our own, by means of a hole in the wall, entirely destitute of anything in the shape of a door. There is an old saying, I think, that poverty makes one acquainted with strange bed fellows; in the same way, travelling introduces us to strange companions, if not bed fellows; we were not, however, disposed to cavil at the simplicity of our accommodation; we were not exactly in the land of damask couches and Kidderminster carpets, so we put a good face on the matter, and prepared to make ourselves as comfortable as possible; with this exceedingly laudable object in view, we lighted a fire in a rather primitive *oven* in the centre of the room, and which said oven boasted of a still more primitive chimney, to wit, a hole in the roof, which had not even the merit of being directly over our fire; this arrangement caused the smoke to curl gracefully round the black wooden pillars and rafters of the hovel, after it had assailed our "orbs of vision" in a very merciless manner. This was not pleasant, but there are very few evils that do not appear less when you are accustomed to them, especially when you reflect that it might be worse; cold is bad, smoke is bad,—we preferred the latter; and these little ills became rather a source of amusement to us than annoyance. Lord's Affghan attendants soon set before us some savoury pillaus, kabobs and stews (these Affghan dishes are by no means despicable, I can assure you) where with we refreshed our inward man. Wine was but a scarce article among the mountains of the Hindu Koosh; however, if I remember aright, "the Political" managed to give us a few glasses on the present occasion. Captain Stavelock strongly recommends water as the best drink for campaigners; I only wish I had him fast on the top of Ak-Robat with the thermometer at zero; and I have a shrewd suspicion he would sigh for a glass of good honest brandy, and that his memory would fly back to the "pocket pistol" which Sir Willoughby produced when he *honoured* the chrysal stream of the Kojuck. A glass of warm punch was a very comfortable nightcap in those cold regions; brandy was, however, seldom seen: the minister, however, kindly sent us a small supply soon after our arrival at Bamean, but it did not last very long. The common Cabul spirit was our usual drink; it was not a very good substitute, but with hot water and sugar it was very *passable*.

The night was intensely cold, but notwithstanding, some of our party, fearing that the hovel might have other less harmless occupants than the cattle, determined upon sleeping in a tent, in preference to sharing

our beds with vermin, which but too frequently abound in those forts inhabited by the lower orders. Wrapped in a large poshteen (or sheep skin cloak) it was with difficulty that I could keep the frost from my limbs. What the extreme of cold may have been that night, I know not, but some idea of its severity may be formed from the fact of the thermometer at about 8 or 9 o'clock the following morning having been as low as 4. above Zero, or 28. below the freezin point.

Shortly after 10 a. m. we again set forth upon our journey, having a march of 22 miles before us. The summit of the Akrobat pass is visible from the valley, to which it forms the northern terminus, the base being distant from the fort about half a mile. The mountain over which the road leads is of considerable elavation, but we found the ascent easy, though long. The southern face of the hill was nearly free from snow, but immediately on reaching the summit and commencing the descent, the reverse was the case. From the top of this Kotul the mountain view is very extensive, and the range east of Kohi-Baba is seen to great advantage from this spot, especially when viewed at this season of the year, covered with a deep sheet of snow. This part of the chain is exceedingly regular in its formation, a succession of sharp rocky peaks rising in a long line, the pinnacles of dark rock, standing out in bold relief against the clear blue sky, and contrasting picturesquely with the long snowy undulations, which form the lower parts of the mountain ridge. Looking north, we beheld the flat table land surmounting the pass of the Dundan-i-Shikun, and beyond, in the far distance, the stupendous rocks encircling the narrow valley of Kamurd; while east and west stretched the long chain on the summit of which we now stood.

Our descent required some care in its accomplishment, as the road was steep and covered with frozen snow. On reaching the foot, we entered a narrow vale; the hills on either hand steep and lofty, but neither precipitous nor rocky, their sides, where destitute of snow, being covered with long dry grass, of which too there were several patches in the valley; but it had nearly all been lately burnt by travellers, it being the only fuel which the barren spot affords; so in one part of the valley, stretched a wide sheet of snow or ice, while in other places, it was covered with black stubble. The fall of the valley was most rapid, and as we descended; the hills became more rugged in appearance until at length, they gave place to gigantic walls of rock, towering far above our heads and lending an air of majestic grandeur to the scene. The narrow glen was frequently sprinkled with large fragments of rock, which appeared to have been rent from the lofty cliff by some convulsion of nature. At times our path was difficult, and dangerous; the rocky nature of the defile often caused obstructions; and the little stream, choked with stones and ice,

had in many places overflowed its banks, and consequently the whole breadth of the passage became a sheet of ice. The narrow defile presented but little variety of scenery, except in the curious and different forms which its rocky boundaries assumed; at one time, a solid wall rose straight and smooth, bearing every appearance of having been hewn by the labour of man, rather than of being, as in reality, the work of nature; anon tall, conical rocks were to be seen, like the spires of a cathedral; while again, not infrequently, the crags projected beyond their base; in one part of the glen, the passage is completely obstructed by one of these overhauling masses having toppled over from above; and our pathway was carried several feet above the little stream which with difficulty forced itself through or over the rocks below.

This gloomy but picturesque defile continued until we had left Akrobat some fourteen miles behind us; then the passage gradually opened, the black, frowning cliffs were exchanged for low red hills, and shortly we reached the little fort of Iliatoo. This place, sometimes called Sokhtu Chunar, is situated in a valley of about the same size as that which we had quitted in the morning, but it is far more favoured by nature than the other: being situated several thousand feet lower,* it of course enjoys a warmer climate and a more prolonged summer; the land is, in fact, exceedingly productive and the harvest good; I have heard, I think, that this is one of the most valuable farms in that part of the country. On leaving the valley we again entered defiles similar to those we had already passed through, and the road continued to descend until we reached Syghan.

Old Mahomed Ali Beg met us on our way, and manifested some surprise at our advent; however, he was soon reassured, by hearing that our intentions were friendly; and he, on his part, expressed his pleasure at our coming. I am not altogether sure, though, that his professions were perfectly sincere, for people of his class generally prefer our absence, unless they have any necessity for our aid or protection. The case was different, when the Usbegs were in his field; then, of course, our presence was welcome enough, but on the second occasion, we came to please ourselves not him; and I have no doubt he felt rather taken aback when he found that it was our intention to quarter troops upon him. However that may have been, he had no choice but submission, for some of our cavalry galloping up a winding road which led to the gate of the fort, reached that spot before him; and thus any expression of dissatisfaction would have been useless; but even had this not happened, I do not think he would have ventured an objection (whatever may have been his secret

* Akrobat is, if I remember right, about 9,000 feet above the sea—and Syghan not much above 4,000.

wishes) as he must have been well aware that, in claiming our protection, he had given us a right to place a garrison in his that which led us there in October.

A part of the Infantry was immediately placed in the fort, and the remainder, together with the cavalry, were quartered for the night, which had already begun to fall, in a small "mehman-khaneh"* or serai, situated among the orchards below. After seeing our men and horses properly bestowed and cared for, we proceeded to the "bala-khaneh,† where Abdool Rusheed, who had preceded us, had prepared an Afghan dinner for our party.

VI.—THE FORTRESS AND THE "TEETH-BREAKER."

Immediately on debouching from the defile, the traveller, turning his eyes to the right, beholds the grey battlements of Sar-i-Sung, while, immediately in front, and but a few paces distant, is the Mehman-Khaneh, by which name is dignified a row of dome-roofed huts, enclosed by a square wall; the accomodation which these afford, would not exactly accord with our notions of hospitality; yet, nevertheless, their dirty walls have, I doubt not, oftener yielded most welcome shelter from the wintry winds to the wayworn and benumbed traveller.

The fort is ‡ perched on the summit of an isolated rock, about 120 feet high, and but a short distance from the hills bounding the valley on the southern side; its shape is oblong, the greatest length being east and west,—and the walls are of brick, and, though far from substantial except on one side, are stronger than those of the generality of forts to be met with. The rock on two sides (the western and southern) is completely perpendicular, and on the other sides, only sufficiently sloping to admit of the narrow winding pathways, which lead to the gateway in the eastern face: this latter side is the strongest portion of the fort, and is flanked by two well built towers. The interior space is much contracted and subdivided by a second gateway, over which, as well as above the outer gate, is one of the balakhanehs or principal rooms of the fort. At the foot of the rock on the northern side are the ruins of a village, which was destroyed I believe, by Moorad Beg, and beyond these, and also on the eastern and western sides, there are some orchards of Apricot trees. The valley here is about the same breadth as that of Bamecan, and it is watered by a small stream, which, immediately after washing the base of the

* House of guests.

† An upper room.

‡ "Sar-i-Sung" means literally the "top of the rock" I have said "is perched," but more correctly should have written in the past tense, as the building as now no longer.

southern hills, flows close under the water of the Mehman-khaneh, and then, bendings outwards skirts the orchards and continues its course towards the east. Eventually it forms a junction with the rivulets of Bameean and Kamurd, and passing Goree and Koondooz, empties itself into the Oxus.

From causes mentioned in a previous chapter, this valley of Saghlan is far less productive than that of Bameean. Immediately in front of the fort, and between it and the northern hills, there are several cultivated fields; but towards the west, stoney, undulating ground succeeds, and east of the fort, stretch for a considerable distance, some waste lands, green and marshy, entirely neglected by the inhabitants. The hills round are insignificant when compared with those visible from Bameean, as they do not form a portion of the great snowy range; their hue is generally of a reddish brown, their outline rugged, and though low they are exceedingly difficult to surmount. The most striking feature of the valley is, as may be supposed, the rock and fortress of Sar-i-Sung. The former, viewed from the north or west, rises majestically from the centre of the orchards, which belt its base; and the old grey walls, diversified with tower and keep, frowning over the valley stretched below, remind the traveller of those relics of the feudal ages, which are still frequently to be seen in our own land. But this lordly fortress, in its towering grandeur, presents to the eye an idea of strength far greater than that which it actually possesses, for immediately to the south, and within easy musket range, is a hill which entirely commands it, and which looks into the interior space, taking the northern battlements in reverse. Mahomed Akrum Khan took the fort a few years ago: however, he would have most probably failed, had he not been provided with artillery. He at first tried a simple blockade, and by constructing a road round the shoulder of the hill forming the left wall of the mouth of the defile, he managed to enter the valley without exposing himself to the fire of the fort, and passing under cover of the serāi and orchards, he crossed the river and sat down before the fort beyond the range of small arms. But this plan proved ineffectual, and he was compelled to have recourse to more active measures, and, accordingly, causing a portion of his force to retrace its steps, he again entered the defile and ascended the hill which overlooks the fort. On the summit he placed some of his guns in battery, and erected some *sangas*, or breast works of loose stones, behind which he posted his matchlock men. On the eastern side of the fort at a distance, as well as I can remember, of about 150 yards, runs a low ridge of clay, an offshoot from the hill; behind this he conducted the remainder of the force, and placed the other portion of his battery so as to bear upon the gateway of the fort. By these means, although he did not form of a breach, he succeeded in forcing the garrison to surrender. Akrum Khan's guns were only 3-pounders; but these, though their effect upon

the walls was of course less than that which would have been produced by heavier ordnance, are much more capable of being carried or dragged in a mountainous region. A breach made in the southern face of the fort, would have had no other effect than exposing the interior of the fort, as an assault could only be made on the eastern side, which is by far the strongest, and, from the great elevation. it would be more difficult to effect a breach there than in the other face. But Akrum Khan having established himself in front of the gateway, prevented all egress or ingress, and his batteries on the hill prevented the enemy from shewing themselves ; and their communication with the river being cut off, they had no choice but to surrender or starve. From one of the rooms in the fort, there was once a narrow excavated passage leading to a small reservoir of water in the rock, but this is now nearly completely blocked up and useless.

The inhabitants of Syghan, Kamurd and the neighbouring parts are of several different tribes ; even in the same fort, Tajicks, Hazarehs and Usbegs may be found. Mahomed Ali Beg calls himself a Toork, while Khilich Beg, whose fort is about 5 miles down the valley, is an Usbeg Kudum Shah Beg, again, who lives higher up and nearer the Dundan-i-Shisun, is an Hazareh. Izit-oollah Khan, of Kamurd, is a Tajicks ; Sirdar Syud Mahomed, of the Dusht-i-Sufaid, near the Nal-i-Ferish pass, boasts himself a Tartar ; Pursund Shah, of Dooab, is of the Hazareh race, and Baba Beg, of Banuck, near Kamurd, is chief of a tribe called Ajuree. Among people of such various races, it is not to be wondered at, that there should be as many interests as clans. Dissensions are, of course, frequent, and it is only when all are equally assailed, threatened by some external foe equally the object of fear or hatred to all, that the Usbeg and Hazareh, the Tartar and the Ajuree, will unite. Most of these were for a time our professed friends. Khilich Beg, however, was at all times an object of suspicion, and Baba Beg Ajuree never joined us ; but he was one of the few.

One of Lord's objects in visiting Syghan was, as I before mentioned, to see whether a better military position might not be there found than that which we occupied at Bamian. But it did not require great examination to shew us that the fort itself was unfitted for that purpose, both from its size, it not being capable of holding more than two companies, and from its situation, being commanded at musket shot distance. The ground, however, occupied by the orchards and between the rock and the river, could have been formed into an exceedingly defensible post by the addition of some field works, as it had the advantage of being screened from fire from the hill by the fort, which might have been held as a citadel, by a few men. The advanced state of the season, and the

want of cover for the troops, however, prevented our entertaining any idea of a present change of quarters. There was no event of any consequence occurred during our stay in the valley ; Lord's time was principally occupied in receiving the native chiefs, of whom several paid him visits of ceremony, Khilich Beg being among the number. It was curious to observe with what care this last named chief avoided collision with his rival ; no doubt, too, he felt considerable satisfaction at seeing his old enemy obliged to yield possession of his stronghold into other hands, and to betake himself to one of his other forts, of a far less ostentatious description ; for Mahomed Ali Beg held several either in his own name, or in that of his son or brother. Most of the neighbouring chiefs, either in person visited the Political Agent or sent messengers to him ; but the man of Banuck seemed to be of a stubborn disposition, and did neither, appearing to be not so fully impressed, as were the others, with our powers and greatness : on the contrary, while we were at Sar-i-Sung, a report came to us that he actually meditated a *chupao* on our detachment. I don't think the story was a very credible one, but Mahomed Ali Beg warned us, one evening, that it was Baba Beg's intention to attack us that night. This chieftain always treated us with the utmost contempt ; and it was unfortunate that we were never able to lower his haughty spirit. He insulted us frequently with impunity, and the fates willed it that we should find no opportunity of effectually retaliating.

When not thus engaged, Lord passed his time in exploring the surrounding country. The hills, I am told, abound in mineral specimens, but, unfortunately I am perfectly ignorant of the science of geology, so cannot dilate on this interesting subject. A very few miles from Syghan there are some extensive salt mines, which have not, however, been worked lately. Something very like *coal* was found by one of our party, but it had unfortunately one grievous fault—it wouldn't burn : the salt, too, had no taste.

The belt which divides the Syghan vale from that of Kamurd, is neither broad nor lofty ; yet it is of such a rugged nature that it proved a more insurmountable barrier to us than the Hindu [Koosh] range ; and it was this insignificant line of hill country that a few months afterwards, so effectually embarrassed our movements, and which imparted a slowness and apparent timidity to all our actions. In December 1839, the subject of an invasion of Toorkistan was often broached, and it seemed to be the policy (how far wise I am not prepared to state) of our corps diplomatique, to impress such an idea on the various tribes. There are two passes leading from Sar-i-Sung, one of which enters the valley beyond, at Bajgal or rather near the fort of Sirdar Syud Mahomed, a few

miles from that place, and the other ~~at~~ ^{to} Kamard. The latter is the more direct route, and the one usually followed. It is not inaptly named the Dundan Shikun, or "teeth breaker," * from its extreme ruggedness. This pass we reconnoitred, with a view to acquaint ourselves with the difficulties we might have to encounter in a forward movement.

Escorted by a somewhat numerous Affghan sowarrie, and attended by a son of the old chieftain as our guide, we set out from Sar-i-Sung, and turning our horses' heads towards the West, crossed the ice-fringed rivulet, close where its clear bubbling waters wash the walls of the Mehman Khaneh, and, ascending a gently rising ground on the northern bank, passed for a few hundred yards over some stony undulations : leaving these behind us our road passed close under the hills and was bounded on our left hand by orchards. The part of the valley through which our route now led, was of rather a pleasing appearance, though we beheld it under most unfavorable circumstances ; for the orchards, which were here thickly scattered around, were stripped of their green garments, and the fields, which in summer are clothed in luxuriant verdure, now lay extended before us in the brown, sober colouring of winter. Yet, still, notwithstanding these drawbacks, the country wore a rather cheering aspect. Roads love not straight lines in this land of hills and glens ; and we pursued a somewhat devious course, now along the margin of the hill, then winding by narrow lanes, through orchards and gardens ; again, entering the open meadows where, we here and there observed some solitary garden houses now uninhabited, we crossed the small brook, near where the valley branches off in two directions like a fork : we turned up the one leading to the right, or towards the north west, keeping on the southern side close under a lofty red wall-like hill, perforated with numerous caves. Pursuing our course up this valley, continually but gradually ascending, we met with several curious ruins, placed in various commanding situations on the hills around : these were the remains of old towers and forts, which the tradition of the country relates to have been erected by some kaffir monarch of days long past. They must have been very formidable works at one time ; for they still present an appearance of former strength, and they are of considerable extent and completely command every path leading towards or past them.

After a ride of some five miles, we again turned towards the right and entered a stony dhurrah, enclosed by lofty red rocks, generally inaccessible ; this narrowed as we advanced, but after about half a mile, it opened into a small amphitheatre or basin, to which there appeared no other outlet. Here, on all sides, rose gigantic rocks, in some places quite

* One of the gun horses fell in passing over some part of these hills, and broke four front teeth short off.

perpendicular, in other spots rising in ledges, one above the other. Before us, where the hill side was less steep, but still rocky and precipitous, we observed the foot of the pass. Following the Afghan custom, we urged our horses to full speed, and commenced the ascent of the Dundan-i-Shikun ; but the stiffness of the pull-up soon reduced our nags to a tamer pace. It is the most deceptive pass I ever saw ; several times, while winding upwards among the rocks, did I fancy that I beheld the summit ; yet on rounding some projecting point, I still found another bluff eminence before me. This happened often, but at length the flat land, which crowns the pass, was attained. It was but a mere pathway, scarce a yard wide, by which we climbed the hill ; so tortuous, too, as to bend frequently after every 8 or 10 feet, twisting in and out among the rocks, often on a smooth stone bed, and running along the edge of a precipice. When well up, you can either see the base nor the summit, though in a straight line the distance between the two extremes is very short. On completing the ascent, we stood on a flat table land, which extended some miles wards the north and west ; looking back we could not see the basin from which we had emerged, but the red rocks on the opposite side rose to a considerable height above our position ; while turning our eyes towards the north, we could observe a deep dark cleft in the mountain belt, which our companions pointed out to us as the valley of Kamurd. Thither, however, it was not our present intention to proceed, as the distance was somewhat too long for a winter day's ride, even had we been fully prepared to resist any aggressive proceedings on the part of our *friends* in that part of the country : our object was merely to discover the best road by which the pass might be surmounted. The one by which we had just ascended did not promise well, but we had heard some mention made previously of another road, by which Akrum Khan had crossed, and on enquiry, our Toork guide professed himself acquainted with that route, and volunteered to shew us the way. Disregarding the remonstrances and forebodings of some of our Afghan attendants, who declared that by following the route in question, we should be detained in the hills till long after night fall,—we placed ourselves under the guidance of the Toork, and, turning our faces towards the north west, traversed the wide table land. This in some places shewed marks of cultivation, though the ground is generally dry and stoney, and there are no running streams to water it ; but usually we rode over crisp layers of snow, the melting of which affords the only means of irrigation, except the few showers which occasionally fall in the spring. It was not long before we reached some low hills, and then, turning to the left, we skirted their base for some distance, until we again stood upon the verge of the table land, at a different point from that by which we had ascended. The road by which we now descended we found far easier than the other, it being of a tolerable breadth and free from rocks ; it was, however,

long and steep, but did not present any great difficulty. Arrived at the foot of the pass, we found ourselves in a deep, stoney, dharrah, entirely devoid of water and vegetation, and here, as in the glen at the foot of the other Kotul, we were every where surrounded by precipitous, inaccessible rocks, except where the winding road led from the summit, and where our onward route tended down the defile a few miles, principally over rough, stoney ground, but at one place along the margin of a morass, brought us into the valley, which we had before quitted, and just as the sun, sinking behind the western hills, was showering his last rays upon the battlements of the fortress, we regained our quarters, and falsified the prediction of our Afghan friends.

VII.—THE WINTER.

Meanwhile Dost Mahomed Khan was an inmate of a prison at Bokhara.

I have said, that the hopes of a brighter fortune, which this unhappy Prince at one time nourished, were rudely frustrated by the intelligence of Gholaum Beg's disaster, and the beneficial working of Lord's vigorous policy was fully developed. It is true, that the evil was merely averted; but as he could not possibly have foreseen the events, which afterwards rendered all the advantage, previously gained, nugatory, the praise due to him for having succeeded in driving the Ameer from the Southern banks of the Oxus, should not be withheld. Despair was largely infused among the followers of the fugitive monarch, and he himself, too, on whom care had laid its heavy hand, no doubt shared in this feeling, and suffered some anxiety to steal upon him, when he heard of the sudden blow struck by the Feringees, and knew not what more might follow. He no longer felt himself secure, and almost immediately prepared for flight towards Persia, where he felt sure of a favourable reception, his mother being a native of that country; but day by day he delayed his departure, perhaps with a lingering hope, that something advantageous might yet occur to prevent the necessity of so long a journey,—perhaps, through financial difficulties; but at length he set out, accompanied by his sons and his brother, the Nuwaub Jubbur Khan: his journey, poor man, did not end in the way, which he had anticipated. I never heard the exact route by which he was proceeding, but he must have passed within a short distance of Balkh; for the Governor of that place, which is subject to the rule of Bokhara, sent him a message, requesting him to give him a meeting, as he had some proposals to make to him on the part of the Ameer-ool-Moomuneen. Dost Mahomed sent his brother the Nuwaub to him, to hear what these proposals might be; but the Governor of Balkh laid hold upon the envoy and declared, that he would not free him until the Ameer in

person came. Accordingly the ex-chief went to procure the liberation of his brother, and when arrived at that once famous but now insignificant city, he found himself little less than a prisoner. Jubbur Khan was released, but the dethroned monarch was informed, that the king of Bokhara desired his presence. Perfectly helpless, he could but accede, and, perhaps, at the time he entertained hopes of a friendly reception. The Nuwaub returned to Kooloom with his own and the Dost's family, while the other, accompanied by the young Khans, Akbar and Afzul, repaired to Bokhara. There, instead of meeting with the reception, which first reports led us to believe awaited him, the whole party were thrown into dungeons, and thus did Dost Mahomed, in fleeing from the British, who would have proved then, as now, kind hosts rather than enemies, become dependant on the caprices of a tyrant.

The full force of winter set in at Bameean, about the middle of January. Before that time the party had returned from Syghan, with the exception of the infantry, who had been left there under the command of Lieut. Golding. I must pass briefly over the next few months, for there was nothing worthy of mention occurred during them. We had frequent falls of snow early in the new year, and the frost increased much in intensity, the thermometer, during January, frequently falling to 10° and 12° below Zero; the rivers, both of Fouladi and Bameean were frozen over to a considerable thickness, and springs issuing from the hill side froze, as they trickled down, before they could reach the stream. Our houses admitted the cold air in a very unpleasant manner, and it was seldom, that we could keep our rooms sufficiently warm, to raise the quicksilver above the freezing point. Fuel, too, was unfortunately both scarce and expensive, and long before the necessity for fires passed away, we were compelled to burn bushes and shrubs, even assafetida plant, and dried cow dung. This severe weather was found rather favorable to our European constitutions, but our men suffered severely from the cold. We reduced our number of night centries as much as possible, on this account, and, fortunately, they had all been well provided with warm clothing, government having issued *poshtseens* (sheep-skin coats and cloaks) and warm gloves and stockings; still, the Shah's regiment lost several men from affection of the chest and lungs. We had a small post at Akrobat, which was relieved monthly. A party marching thither on the ordinary relief, lost one of its number from excessive cold. The man, it appeared, feeling weary, sat down by the roadside and was not missed, until too late; he was found quite dead, and frozen stiff. To procure forage for our horses we were sometimes obliged to send parties out to a considerable distance, and often their road led through deep snow; the consequence was that some of the thus employed were frost-bitten in the feet; several lost their toes,

and one or two died from the effects. A few men were actually frost bitten while in hospital; and notwithstanding, that every precaution was adopted to keep the wards warm, the sick suffered greatly, and in some cases, men died through weakness and inability to endure the extreme cold.

Though the climate of Bameean was severer than that of Cabul or Ghuznie, yet we had much less snow in the valley itself. A few feet of elevation seemed to make a great difference, for on all the hills, on the table land, in the Fouladi valley, and all other glens branching into the hills, it lay both deep and long, but in our immediate neighbourhood, it never covered the ground for longer than a month at a time, and only once for such a period, from the 15th of January. The snow storms were ushered in by strong, easterly winds, piercingly cold to the sensations, yet during their prevalence the thermometer invariably rose, often even several degrees above the freezing point. Yet the winds, I say, were bitterly cold; and the atmosphere was clouded so that the top of the hills were veiled from our view. So it would continue sometimes for days, but a heavy fall of snow almost invariably followed; which did not, however, last for any length of time, usually from 12 to 24 hours. It generally cleared up in the early morning, and a dense blue, rather than white, mist hung in the valley over the snowy sheet, cutting in a sharp line, the loftiest hills, the summits of which might be seen peering out above. As the sun's rays increased in power, the mist would gradually rise, like a curtain, disclosing the snow covered hills and valley glittering in the golden beams: then it would separate into thin web like clouds, which, for a time, would cling upon the highest peaks, and at length float below the horizon, leaving a clear blue sky above our heads. But it was then, when the sun was bright and the vault of heaven unclouded, when the wind changed to the west, but the air became so still, that until you moved you could not discern from what quarter it came,—it was then that the thermometer fell so low; and so it would remain for several days, until a heavy bank of clouds might be seen rising behind the distant hills, and then would return the East wind and the snow storm.

I don't think the snow was ever deeper at Bameean than about a foot and a half, except where it had drifted before the wind; but on the hills it was of course far more so: indeed at one period the road was impassable even for footmen and for nearly three weeks, we received no dawks from Cabul. It may easily be imagined that thus cut off, with but few books and a small society, we found the time hang heavily on our hands. Such was often the case; yet, altogether, we managed pretty well; we were but few, but, by associating constantly, we made our time pass rather cheerfully than otherwise. Bameean did not afford us many amusements, but those we were able to enjoy were the more welcome. Some wiled away

their time in sliding or skating on the rivers,—the ice it was true was not very well adapted for the purpose, thick enough, but like any rapid stream frozen over, rough of course ; others again waded through the snow, gun in hand, after a few unfortunate teal, occasionally to be met with, or after the large flocks of pigeon, which were always to be found in the valley. I don't think they ever had any very superior sport, but the great object, occupation, was gained. At other seasons of the year, better sport may be obtained, though it is not of a first rate description, and the trouble is nearly equal to the pleasure. In the hills, the wild deer and ibex abound, but the pursuit of them is by no means easy on account of the steepness of the rocky country, where they are to be found, and the timidity of the animal. The Hazarehs, well acquainted with the haunts and habits of the beast, and accustomed to climb with ease the loftiest precipice, were tolerably successful, and frequently brought the produce of their sport into our lines for sale. but even one of these mountaineers, would sometimes remain in the hills for two days or more, waiting in some secure hiding place, near which the deer or sheep were known to be in the habit of passing, before he could obtain his prey. In the spring some parties were made up for ibex shooting ; several officers and a complete army of Afghans and Hazarehs went. The Sahib log and the Sirdars were posted in convenient positions among the rocks, while the " oi polloi," scattered themselves among the hills, and drove the frightened herds past the hidden marksmen. Among the hills, too, are found several species of partridge or " Cowk" as the Afghans call them. The largest of these is nearly the size of a turkey ; it is a rather scarce bird, and only found on the highest hills. The more common kinds of hills partridge are rather plentiful in some of the dhurrahs below Bameean. The rivulets abound in fish, and during the summer months very fair sport may be had. The common English trout is found in all the streams north of the Hindu Koosh : at Bameean and Syghan, it is seldom seen of a large size, but at Kamurd, where the stream is unfordable, the fish is often found, weighing even 8 or 9 lbs. Besides the trout, there is another fish, with the name of which I am unacquainted, it is a leather-mouthed fish, with hanging barbs or *moustaches*. Both these fish take the worm greedily (the stream at Bameean is in summer generally too clouded for fly fishing) and you may catch 3 or 4 dozen in a few hours. Duck of different kinds, but mostly teal, are found occasionally on the rivers, principally about the commencement or breaking up of the winter ; but so exceedingly shy, that they generally take themselves off to some remote region, after a few shots have been fired at them, not returning to their former haunts for months. A few snipe, plovers (the common English Pee-wit has been shot there) and birds of the Ibis genus, are sometimes to be seen ; and quail are in summer and autumn rather abundant in the corn fields.

The construction of the defensive works, commenced in December, was prosecuted with but little intermission, except at times, when the snow compelled us to desist during the winter months. The soldiers of the garrison, divided into several working parties as well as about 200 Hazarehs, who were most happy to be hired, were employed in this useful labour. But the work did not progress very rapidly: the days were very short and the mornings and evenings too cold for such employment; the frozen ground too was almost impervious to our pickaxes, and in some places it was so hard, and so thickly interspersed with stone or fragments of rock, that we were obliged to have recourse to blasting. But our supply of powder was too small to allow of our expending it thus, except when absolutely obliged, otherwise we should have completed the lines much quicker. All idea of their *necessity* had soon passed away, yet we still thought our time well employed in their formation. After events fully proved their utility, for although not actually reduced to defend them against an enemy; still there is but little doubt that the knowledge of their existence alone prevented the more rapid advance of the Ameer and the allied forces; and thus, time was given us to augment our strength and resume the offensive.

From time to time we received accounts of the progress of the Russian army towards Khiva, but this gave us no cause of anxiety, as the failure of the expedition was generally expected; our attention was more particularly directed towards the prisoner of Bokhara and the Nuwaub of Kooloom. The former had been deprived by his arbitrary master of nearly all his dependants, only five or six men besides his sons being allowed to remain with him; the remainder were sent back to Tash Koorgha, Jubbar Khan, now left alone, seemed much inclined to accept the offers of the British, but he wavered yet for a long time. The Wallee had, very generously, yielded to him for his maintenance, the transit duties on merchandize passing through his dominions: so he was now better able to support his still somewhat numerous party. The principal cause of the Nuwaub's indecision seem to have been a threat, which, it is reported, the king of Bokhara held out, that the news of Jubbar Khan's surrender to us, would be the signal for the decapitation of his brother. Whether this was the case or not, I cannot say: but there is no doubt that the family long time feared that such a result would attend their departure from Kooloom. On the 20th of February, the eldest son of the Nuwaub, a lad of about 18 years of age, named Abdool Ghrunnie Khan, attended by a small sowarrie, arrived in our lines, having been sent by his father, with friendly messages to Lord. The Khan, a sharp, intelligent youth, was of course received and treated with the utmost kindness, and he, in a short time, declared himself so pleased with his changed circumstances, that he would not willingly return to Kooloom, except for the express purpose of bringing the Nuwaub with him to Bamecan. He looked upon the Dost's situation in a very

philosophical manner, considering him already a dead man, and therefore the fate which might await him, in case the Nuwaub came in, a matter of but small consequence. Some months after, the Ameer made use of similar expressions; for, when he was engaged with the Wallee, in his campaign against the kaffers being reminded that his wife and family were in our power, he merely answered. "I have no family, I have buried my wife and children." But at the same time that he made his stern speech, I doubt not that the true reason of his feeling no anxiety on their account was his perfect dependence on our honour, knowing that it was not our custom to injure defenceless women and children. It was a long time before Abdool Ghrunnie's representations had any effect upon his father's movements: the old Nuwaub frequently declared his intention of submitting; but month succeeded month, and still he came not, neither did he fix a date for the important move. At last,—but I must not anticipate; I have still some intervening occurrences to narrate.

In the month of March, though the winter had not actually passed away, a considerable change in the weather took place. The snow had entirely disappeared from the valley, and the ice had been broken up and washed away by the swelling waters of the rivers; the days became warmer, though it still froze hard at night (but no longer with such intensity) and snow occasionally fell. It was in this month that there occurred in the neighbourhood of Bameean, one of those events, which so often happen in a country conquered but not subdued; and which, however much they are to be deplored, yet cannot be avoided without injury to the interests of the state or disgrace to its arms.

VIII.—SHAH NUSSER.

The circumstance to which I alluded at the close of the preceding chapter, was an affair which took place on the 14th of the month, between us and some Hazarehs of the neighbourhood. It was a very unfortunate event, and at the time led to much censure being heaped on Lord's head through a total ignorance of the circumstances of the case on the part of those who blamed him. The contumacy of a few obstinate men obliged us to proceed to vigorous measures, which, however, I am glad to say, were unattended with the gross tyranny and wanton barbarity, which a writer of that period attributed to Dr. Lord.

The valley of Fouladi has been mentioned in a former chapter: from its *embouchure* it leads towards the South-west, penetrating the Kohi Baba range. For a distance of some six miles, it is of considerable breadth, but at that point, it branches into several narrow dharrahs, each watered by a small stream, all of which unite at nearly the same point, forming the larger rivulet which flows into the Bameean river. These dharrahs run into the very heart of the mountains, the streams rising at

the foot of the dark rocky clefts, which contain the perpetual snows.

Above the point of separation, there are but few forts, and these are perched above the valley's tureplein, usually on some level ledge in the hill side, or in a sheltered nook of the mountains : but the spaces between the forks formed by three of these dells, are occupied by table-lands, raised above the bottom below about 150 feet, and of triangular shapes; upon these there are upwards of twenty forts, grouped in different places, but never at any great distance apart. Over these, there were two chieftains, Mir Moheb and Shah Nusser, who were indeed the heads of all the Hazareh tribes, dwelling between Bameean and the Kobi Baba : it was with the inhabitants of some of these forts, the subjects of the last named potentate, that our quarrel commenced.

I have before casually adverted to the difficulty we experienced in providing forage for the horses belonging to our detachment. Before the winter set in, we were in the habit of sending men to a considerable distance, to a spot amid the hills near Akrobat, where there was a quantity of the long dry *chummun* grass. This was a bad quality, very far from nutritious, but as a *pis aller* we collected as much as possible, until the snows and frosts drove our people to seek shelter in the valley, and thenceforward, we were obliged to depend on the supplies of dried lucerne and straw, which the neighbouring forts and caves contained. The natives sold willingly, though at heavy prices, as long as their stock lasted ; but day by day, as time wore on, we were obliged to extend our forage circle, although on the representation of the commissary, the officer in charge of the artillery had considerably reduced the daily feeds of the gun-horses. The commissariat agent travelled sometimes to a considerable distance in search of forage, even to Shihr and Kaloo. In March he succeeded in purchasing a large supply of boosah (at exorbitant charge*) at one of Shah Nusser's forts on the table-land. From this he was in the habit of taking away and bringing into the lines, a certain quantity daily, not having carriage sufficient to remove all at one time. But on the 13th, while he was thus engaged, a quarrel arose at the fort : it apparently originated between the Hazarehs and some Affghan sowars, who had gone thither to purchase grain for the use of Abdool Ghurnnie Khan. The cause of the disturbance was never satisfactorily ascertained, but it ended in, not only the Affghans, but our own people also, being driven off and pelted. On this, one of our people, naturally provoked by such unmerited (for such it appeared to be, as far as we could learn,) treatment, uttered some threats which the Hazarehs received contemptuously.

This incident we learned about midday on the 13th, and messengers were immediately despatched by the Political Agent, to learn from Shah Nusser the cause of the outbreak ; but no answer was returned, further

* About this time, straw sold for a rupee a maund; and dried lucerne about 25. or 30 paise the rupee.

than, that he declined our interference *in toto*. Mir Moheb denied any participation in the other man's doings, and, as he was a superior chief to Shah Nusser, he was deputed by Lord to use his endeavours towards an amicable adjustment. He, however, met with no more success than our own messenger; all the answer was that the chief was "yagi" or insurgent. Several others, men of considerable influence in the valley, among them Moollah Meer Mahomed and Alladah Khan (of Syudabad) were sent as envoys to the implacable Hazarehs; but the negotiations were all fruitless. The wishes which Lord conveyed to him, were certainly not such as he could have found any difficulty or hardship in complying with. The Political Agent asked him to explain the cause of the quarrel, in order that the offenders, on whichever side they should prove to be, might be punished. He further said, "if you wish to be our friend, you will submit to this arbitration; if I find our people to blame, you may rest assured that I will punish them; if you will not agree to make some explanation, I cannot but consider you as an enemy." Such, or to such effect, were Lord's messages; but Shah Nusser persisted in a dogged silence with regard to the quarrel; merely declining our interference, refusing to acknowledge Lord's authority; furthermore, he abused us as Kalfirs, and swore we might bring our guns as soon as we chose. Every means were used in vain to conciliate him. The urbabs,* whom we employed as our ambassadors, were the most respectable men of the neighbourhood, and, if any one could have persuaded him, they could. However, I have since, (though at the time I thought them fully trustworthy) had reason to doubt that they really did endeavour to arrange the matter; and I think it highly probable that, while pretending to urge submission, they in reality secretly stirred the fire, they were sent to extinguish. Certain it is, that afterwards Moolla Meer Mahomed and Mozuffer Khan (of Kaloo, chief of a Hazareh tribe closely connected with that of Shah Nusser) were detected traitors. I forget now, whether the latter was employed to mediate, but his son, the Akhoondzadeh† was at Bameean at the time, and present with our party, at the affair which took place next day; but of course he was a mere spectator. There is no doubt that the promptness of the proceedings, which followed the Hazareh's contemptuous defiance, alone prevented the insurrection from becoming more general. In such matters, the greatest difficulty is in commencing, and the Hazarehs having thus thrown down the gauntlet, I think it highly probable now that I am aware of the real character of some of our *employes*, that the others were glad to perceive the first step taken; but that, with their usual caution, they waited to see what the result might be. This is, of course, mere surmise on my part; at the time, I knew of no reason to distrust the people. There is another doubt

* The principal man in a fort is usually thus designated.

† The Akhoondzadeh had been a most useful man to us during the march to Bameean; he brought us several hundred workmen.

I have, on surer grounds : notwithstanding the professions of amity and of disapproval of the proceedings of Shah Nusser, which we received from Mir Moheb, I am confident that he was secretly leagued against us ; his brother fell in the skirmish, which circumstance looks rather suspicious.

All negociation failed ; and the Hazarehs prepared for our coming. The revolt of one solitary chieftain was certainly a matter of but little importance, although he possessed some ten forts, strongly placed. But Lord did not view the affair in that light ; it was to be considered not what Shah Nusser himself could effect, but what results might follow the contumacy of one man, if allowed to pass unnoticed. Lord was by no means a careless observer, and he saw at once that such a spirit, if left unchecked, might rapidly increase to an alarming extent ; that the spark if not extinguished might become a flame. He acted wisely and promptly : when he found his advances towards conciliation rudely repulsed, he marched troops against him ; and this took place at noon the next day. Let it not be said that this was too hasty ; it shewed decision, but not precipitation. As Shah Nusser dwelt only half an hour's ride from Bameean, 24 hours gave plenty of time for negociation ; it was clear enough, that if he conceded not within that period he would not yield at all. As soon as it was found that we must have recourse to force, expedition was advisable, both for example sake, and to prevent the Hazarehs from having time to prepare, or to gain fresh adherents to their cause, by calling on the neighbouring tribes for their assistance ; every day we delayed would have given them fresh courage. And so, next day at noon, four companies of infantry, two guns and about sixty horse marched against him ; not because he refused to give us grass for our horses, but because he refused to acknowledge the authority of the then Governor of Bameean.

" Quem deus vult perdere, prius dementat." Verily they were madmen, the inhabitants of that small fort, who shut their gates against us, and appeared on the towers, with their matchlocks, evidently prepared to assail us. We had just come within sight of the table lands before mentioned ; they were immediately in our front, about 400 yards distant. On the nearest point of the one on our right front, we observed a considerable crowd of armed men, but on the left hand one, no enemy was visible : the forts on it were said to belong to Mir Moheb, while those on the one occupied, were the property of Shah Nusser. Up this hill we were to have ascended, as above was our object ; but the foolish conduct of the fort below saved us the trouble. It belonged to the refractory Hazareh chieftain, and was situated in the valley close to the road and about 450 yards from the position which the enemy had taken up. We were much surprised, when we reached it, to see the warlike attitude assumed by those within, for we did not expect to meet with any opposition below. The column

was accordingly halted ; and Rattray, the Political Assistant, rode to the gate of the fort, and commenced a parley with them. They refused to open their gate ; neither would they send a man down to confer with our party. After some time wasted thus, Rattray returned and reported his failure in inducing them to yield ; but Lord requested him to try again. Accordingly, taking Ali Usker, a Persian attendant with him, he again presented himself below the turret, although by this time, the garrison of the fort were making signals to those occupying the hill, apparently to induce them to come down to the attack. Lord and all our party looked anxiously on, for we were not without some fear lest the Hazarehs should fire on the parleyers, while Rattray and the Persian used all their eloquence in vain. The people were assured by them that they should suffer no harm in person or property : that we did not wish to take their fort from them, but merely desired that one man should come down, and open the gate, giving us some assurance that they would not molest us : in that case they were told that we should leave them and pass on ; but, whether from fear, obstinacy, or orders from their chieftain, I know not, they would not comply with such reasonable demands.* When Rattray announced the failure of his attempts, which had altogether occupied about half an hour, Lord turned to the Commanding Officer, who stood by, and said, " I can do no more Captain Garbett ; the affair is now in your hands."

The party was then moved up, and the guns were placed in position ; one against the gate of the fort, and about 30 paces from it the other directed against the body occupying the hill at about 400 yards distance. The gate fronted the table-land, so that the gun fired in contrary directions. Attached to the one opposed to the fort was a covering party, consisting of about 80 infantry of the Shah's 4th Regiment.

As soon as this position had been taken up, and before we had commenced hostilities, a single shot was fired from the hill, and immediately followed by a sharp fire from both parties of the enemy. This at once frustrated the hopes still entertained, that the deluded people in the fort would surrender, when they perceived our intention to enforce submission. On account of the inequality of the ground, we could not run a gun up to the gate to blow it in ; so round shot were used, which at first went crashing through, without doing much injury to the gate, as from being so close, the shot made a clean hole through the planks ; but on changing the aim to the side-posts or stanchions, the whole frame yielded, after a few rounds. For a short time, the fire was rather severe, the matchlocks of

It is true, as has been asserted, that we demanded the delivery of some disputed forage—our request was simple as stated above. It was ready too much to expect that, without any assurance of their non-interference, we should pass on, and leave a hostile fort in our rear, the men in which might have annoyed us greatly, when ascending the table-land.

the men on the hill reached us easily ; and soon after the work had commenced, a skirmishing fire was opened, from the brow of the hill on the left, but we could distinguish no one, except when for an instant, the upper part of a man's body might be seen just appearing above the brow, now here, now there ; and instantly followed by the flash of a matchlock. Just then our men were dropping fast, but the fire did not continue so general, but for 15 or 20 minutes ; for after, a shot or two had tried and found the distance, a few rounds of shrapnel from the other gun, drove the enemy from the hill in front ; and about the same time, Rattray, with his Affghan horse, followed by a party of Infantry, galloped up the other eminence, and drove the skirmishers from their position, killing and wounding a few of them ; but the majority took refuge in the forts, Mir Moheb's. Rattray rode after them to the very gates, and, on expostulating with that chief, the latter declared, that his people had gone out in defiance of his orders, and that he would prevent all further interference. This was a rather gratuitous promise on his part, as the affair had now nearly terminated. The framework of the gate being thrown down, the company, which had hitherto been employed as a covering party, entered the fort, the garrison of which, with the exception of one man, taken prisoner, and some shot in the entrance, still held out in the tower. Several ineffectual attempts were made to reach them, but they had ascended through a trap door to the upper story, and then pulled the ladder up. Their resolute courage, poor men, was worthy of a better fate ; but, what could be done ? soldiers don't like standing still to be shot at, especially when their adversaries being behind a stout wall, they cannot effectually answer the fire ; —so, not being able to get the Hazarehs out by any other means, some straw on the ground floor was fired, with a view to smoke them out ; and a few rounds from the guns were fired into the upper part of the turret. But even this had no effect ; they would not come forth, though the fire did not burn so fiercely at first as to prevent them from doing so. The straw smouldered, emitting volumes of smoke, but very little flame. It was a sad business ; every man perished. When the firing ceased, we sent a Hazareh to speak to them, and then we learnt that none but women and children remained, who at the same time made their appearance on the summit of the tower. These, after some time, and with considerable difficulty, we succeeded in getting down from their perilous situation ; this we were obliged to effect from the outside, as all the floors except the upper roof had fallen in. We cut down a young tree, and rearing it against the wall, a man was thus enabled to convey a rope to the summit, by which the unfortunates were lowered. The fate of the men was melancholy in the extreme ; but I do not think they could have been destroyed by the fire, as they might have escaped to the roof ; by the same means, as the women did. Most probably some of the last shots from the guns, killed or wounded all who remained.

We did not continue hostilities any farther, considering that having driven the Hazarehs from their positions, together with the capture of the fort, would, most probably, have produced a sufficient example. Had we at that time, advanced against the more distant forts, it is probable that the Hazarehs, as if driven into a corner, would have fought desperately. It was not our object to shed blood, but to reduce them to submission, by persuasion rather than by the sword ; and it was hoped, that by giving them time to cool, and to reflect on the results which might attend any further insubordination, that desirable end might be attained. We all commiserated the dreadful fate of the poor men, who had just perished, and regretted the necessity which had compelled us to inflict such a dreadful punishment. The fort contained only about twelve or fifteen men, of whom only one escaped with his life, but no one can justly be blamed for this,—the men courted death, they brought it down on their own heads.

It having been determined to cease hostilities for the present, the detachment returned to the lines at Bameean, to await the result of fresh negotiations. Our loss amounted to one killed and 17 wounded, of whom four or five died. We had upwards of 300 men present, but scarcely 200 were actually engaged ; and all our loss was sustained in something less than half an hour. Of the enemy's number, no accurate information could be obtained, but there could not have been more than 200 men on the hills. Some accounts stated, that they had lost 46 men, including 10 killed in the fort ; another version gave the total amount at 53 ; but, knowing how much these matters are generally exaggerated, I am inclined to doubt, that they suffered so severely. Mir Moheb's brother, a moollah, was killed by the cavalry on the hill, and some others also fell, or were wounded by the sabre. Several, too, were afterwards known to be lying in the forts, suffering from shrapnel or round-shot wounds.

Lord's overtures, after this severe lesson had been read to them, were happily attended with more success than before. Mir Moheb, who, notwithstanding his own tribe had suffered in the conflict, declared himself our friend, and that his brother merited his fate, reported that Shah Nusser was now more fearful than haughty, and that the Hazarehs were prepared rather to run than fight. It was deemed advisable under these circumstances to allow them time to get over their fear, which, we anticipated, would be succeeded by submission. And so it happened : shortly the refractory chief, now humble enough, surrendered to the Political Agent, and was, of course, pardoned. One condition was, however, insisted on, that he should provide the heir of the fort, (who, fortunately for himself, happened to be absent at the time) with means to recommence his business as husbandman. In a few days, our relations with the Hazarehs, were on as amicable a footing as before.—*Hurk.* Oct. 5.

THE BRITISH ON THE HINDOO-KOOSH.

(Continued from our last.)

IX.—ADVANCE TO BAJGAH, AND ARRIVAL OF THE NUWAUB.

My narrative has now reached that sunny interval of prosperity, which immediately preceded the disastrous events of August. After the affair, which I have related in the last chapter, the measures of our diplomat appeared every where crowned with success ; and it was, probably, this circumstance, which induced the over-confidence that had well nigh undone all that had been previously accomplished.

April shewed some signs of spring ; a very heavy fall of snow had occurred near the end of the preceding month, which lasted two days, and was immediately succeeded by a quick thaw. After this there was a gradual, but perceptible change in the weather, and soon the earth became sufficiently soft to admit the ploughshare. Some of the farmers commenced work in the early part of April, but very few fields were put under cultivation until the following month, at the beginning of which we had some slight frosts and a thin fall of snow ; but after the second week, the valley began to indue its summer clothing, the trees put forth their buds, and rapidly one field after another became verdant with the rising crops ; the snow quickly melted from the lower hill, each day shewing some marked diminution in the white sheet, which for so long a time had covered the sweeping undulations and rugged spurs ; and the streams, now swollen by the melting snows, came down with increased turbulence, and discoloured by the mud, which the waters had torn away in their progress down the mountain slopes, filling the numerous aqueducts and water-courses, which were carried through all parts of the valley ; the rivulets often bearing down their banks, and hollowing themselves new channels.

But the snow still remained deep on the higher parts of the range, so that the passes were scarcely practicable between us and Cabul, and our communication continued uncertain and difficult. Not so with regard to the road leading northwards ; Kafilas came in frequently from Toorkistan, bringing us the products of Bokhara, China, and Russia ; the travelling merchants owning these were mostly compelled to remain with us for a time on account of the state of the roads in advance not permitting camels or laden ponies to pass ; but some proceeded on their journey, hiring Hazarehs to carry their merchandize over the snowy passes ; and thus their yaboos, freed from their burdens, were enabled to accomplish the toilsome march. Dealers, too, with long strings of horses, some of superior breed, constantly arrived. Many of these were eagerly purchased for the use of the artillery, to fill their thinned stable,

or to replace those, which, worn down by toil or the severity of the winter, were no longer fit for service. And camels also were about this time procurable in considerable numbers, but through some strange arrangement, with the reason of which I am perfectly unacquainted, the greater proportion were sent on to Cabul instead of being retained for the use of the Shah's infantry. This, it will be presently seen, caused much inconvenience, and loss, both of public and private property.

Other and more important arrivals took place during the month of May, envoys from different powers of Toorkistan. Among these were a messenger from the Khan of Mazar, and another from Moorad Beg; the latter of these was Atmaran, an influential Hindoo, who had long held the post of Dewan Beggee at the court of Koondooz. After remaining some time with Lord, he passed on to Cabul.

The proceedings of the Nuwaub at Kooloom were exceedingly perplexing: about the middle of the month, a letter came from Baba Beg, informing us that he had positively started; but a few days after, he changed his intention, if indeed he had at that time really determined on coming in several times pitched his camp outside the town, and as often struck it again; once he even sent his advance tents as far as Guzuegnuk, the first stage from Tash Koorghans; and it was on this occasion that our friend of Heibuck wrote to us. However, our hopes were again frustrated. Other members of the family, however, possessing less indecision or less zeal in the cause of the Ameer, made their appearance during the month. One detachment consisted of some of his women-kind, a few sisters and an old lady mother, I believe, of the chief, and some nephews. These last were some of the youngest of the family shoots, young lads of 16 or 17, whose swords had not yet left the scabbard in the field, or black-eyed, rosy cheeked boys. Soon after these came Mahomed Uzim Khan, one of the ex-chief's sons, a fine, well-built young man, and a splendid specimen of the Affghan gentleman and soldier. At the same time too there arrived in our lines our old adversary, now our friend, Gholauu Beg, the son of the Wallee, he who had fled so quickly from before Syghan, in November of the past year. This man presented certainly a striking contrast to the young Affghan: fat and unwieldy in appearance, uncouth in manners, with apparently as few mental as personal endowments, he looked neither the prince nor the warrior. All three in due course of time proceeded on their way to Cabul. There was another individual, too, who passed through Bamian, the precise time of whose arrival, I now forget, and this was the crafty vuzeer of Kooloom, the Moolla Wallee Shah, who afterwards played a somewhat conspicuous part in the game of diplomacy.

It was about the end of May or beginning of June that a small party, consisting principally of cavalry, left Bamian and proceeded on a tour of

reconnoissance towards the northward. The principal object of this movement was to examine the pass beyond Kamurd, the Kara Kotul, the last intervening ghaut, between our post and the defile which leads down upon Kooloom. The natives of the country immediately supposed, that the expedition was planned for the purpose of *chupa'ing* some unknown delinquent, and some surmised that the party was about to effect a forcible seizure of the nawaub. However, Captains Garbett and Rattray (who were of the party) went with no such warlike intentions, though, I believe, some hopes were entertained, that the movement might have a quickening effect upon Jubbar Khan's proceedings. His arrival now was the only one required to render the political negotiations completely successful; and so every possible means was put in force, in order to bring about the desirable event, and even the old report of our projected advance was renewed.

The party proceeded by way of Syghan and Kamurd. After passing the latter place they turned down the narrow valley, in which it is situate, and after a short stage reached Bajgah, a solitary fort, placed immediately opposite the embouchure of the narrow defile, which leads off the base of the Kara Kotul. Considerably to their surprise they found the fort vacated, and still more were they astonished when Sirdar Syud Mahomed, to whom it belonged, said, that he had purposely cleared it in order to present it to them as a post for troops, or for any other purpose that might be desired. At first sight the position seemed an exceedingly favorable one, strong in defence, and having a full command over the road leading to the pass. Under these circumstances, it was thought advisable to take advantage of the Sirdar's obliging offer; a small party of infantry, who were with the detachment, was left in the fort, and a favorable report of the place as a military post was sent into Bamian. As soon as Lord heard of the fort having been given up to us, he wrote in to Cabul, both to Sir W. McNaghten and to Major-General Sir W. Cotton, who then commanded in Afghanistan, strongly recommending the permanent occupation of the place. He was himself so highly gratified by the intelligence, and so sanguine of the advantages likely to result, that his letters could not but reflect the *couleur de rose*, which then tinged his own ideas regarding the proposed occupation; and could scarcely fail in persuading his superiors in Cabul, who were of course profoundly ignorant of all connected with Bajgah and its capabilities. He represented that a military post there established would have the effect of giving us absolute power over the communication with Kooloom, as the only road from Bamian to that place, passed immediately under the walls of the fort. That he was mistaken in this point, after events fully proved. He further urged, should any objection be raised to the establishment of so distant a post, that as we had already

progressed beyond our intended limits, we should not deteriorate our position by the retention of the more advanced post, but rather add to its strength by possessing a stronger frontier line. This was rather unsound reasoning ; the fact of our having committed one error certainly did not call for a repetition of the mistake ; and by taking the line of the Kamurd valley, as a boundary, our strength was manifestly diminished, as we had a greater extent of country to garrison, and a longer line of communication to keep open. His arguments prevailed, and permission was granted to despatch the Shah's 4th regiment to occupy the fort, retaining at Bamian such portion as might be considered necessary to protect that place. The mistake was soon found out, and Lord, of course, regretted much that he had ever recommended the movement ; but at the same time defended the arguments which he had given in its favour, on account of his having, at the time, supposed that the establishment of the post would have been merely the prelude to a further and more important advance, in which case he said, truly, Bajgah would have been of essential service to us in many ways.

Meanwhile the reconnoitering party had crossed the Kara Kotul, and descended to the village of Dooab. This last pass is, if possible, more difficult than that of the Dundun-i-Shikun ; it is of considerable extent, and the path generally leads over huge masses of rock, placed in layers one above the other, like regular steps ; beyond the Kotul the road in the defile is still worse. At Dooab, as elsewhere, the travellers met with the utmost hospitality ; and having accomplished the object of their trip, they retraced their steps to Bamian, towards which place, the Nuwaub was now (the latter part of June) at length journeying by easy marches.

By this time the garrison of Bamian had been increased by the arrival of a party from Cabul, consisting 300 rank and file, detached from Captain Hopkins' (Afghan) regiment of infantry, and on the 29th of June, Captain Hay's regiment, leaving one company at Bamian, marched in progress to their new station ; but this movement was not effected without some difficulty ; for, as I before mentioned, no carriage had been provided for the corps ; the march was entirely unexpected, until a very short time before the day of departure, and the hiring of baggage-cattle in the valley, was by no means easy of accomplishment. Fortunately, the artillery was better off in this department ; so by borrowing a few camels, and hiring donkeys, sufficient carriage was obtained to enable the regiment to move at Syghan. The corps met, on the 1st July, the Nuwaub Jubbar Khan, with his numerous cortege, and thence, in two marches, reached their destination, without meeting with any obstacle, or any opposition from the inhabitants. But their troubles soon commenced. There were only five companies and one officer with the head quarters, and these totally unprovided with cattle, for those which had carried their equipage to Bajgah, immediately

returned: two companies were at Syghan under Lieut. Golding, and the 8th remained at Bamian, in the neighbourhood of which place Lieut. Broadfoot was encamped, being at that time detached from the regiment and employed in raising a corps of pioneers recruiting from among the Hazarehs and other tribes of the neighbourhood. Shortly after Captain Hay had reached Bajgah, there came thither one, who having been some short time in the neighbourhood, should have been consulted ere the place had been fixed on as a military post—I allude to Lieut. Sturt, of the Engineers, who had been sent from Cabul for the express purpose of surveying and reporting on the mountain passes, and who arrived at Bamian about the 18th or 20th of June. It would have been well had the measure been resolved upon with less precipitation, and had this officer's opinion on the fitness of the place been first asked; but, as it was, he saw it after Hay was located there, and condemned it in toto. Even then, it was not too late to have been guided by the opinion of an officer, who, from the nature of his education and pursuits, must have been a more competent judge (or at least might naturally be supposed to be so) than Dr. Lord himself; the regiment *might* have been recalled; but it was not.

However, I must in fairness allow, that at the time that all this took place, no one appeared to regard the movement as a dangerous one: the chieftains of the tribes between Cabul and Kooloom, with but few exceptions, were, or professed to be, our friends; and we had been so long accustomed to security, that we dreamt not of such an event, as an interruption to our amity, occurring.

The Nuwub reached Bamian on the 3d of July; bringing with him all the family and followers of the Ameer, except those few who were still in captivity at Bokhara. Among the former were two of his son's sons, Akrum Khan and Shere Jan, besides several others, mere boys. Of his other adult sons, one had previously passed through, and two others, Mahomed Azul and Akbar, were with their father. Jubbar Khan's retinue was still a very considerable one, notwithstanding the great diminution in its numbers, which had taken place at the close of 1839; there could not have been less than 300 male followers, nearly all of whom were armed and mounted. The personal appearance of the "good Nuwaub," somewhat disappointed us, who, from the great fame, which he had acquired, expected to see a man of noble and dignified appearance; but there was nothing at all distinguished in his outward man, nothing to proclaim the statesman and the prince; neither, on the other hand, was he at all bearish or rude in address. His manners were courteous, but homely; and in conversation he was affable and shrewd; manifesting no brilliancy, but plenty of that, rather scarce quality, called common-sense. In person, he

resembled more a farmer than a prince, being of a stout build, with a full countenance and florid complexion; and in both deportment and dress, he was particularly unaffected and simple.

Our noble guests remained with us until the 8th, when they resumed their march towards Cabul, accompanied by Dr. Lord, who naturally supposed that his presence could be safely dispensed with for a short time, at a period, when our relations with all the neighbouring powers appeared to be on such an amicable footing. It was but a lull before a storm; in less than a month, the sword had been drawn, and blood had flowed on both sides.

X.—THE DISASTER OF KAMURD.

It was now the height of summer, and a beautiful summer it was at Bameean. The trees were in full leaf, and throughout the whole valley extended one sheet of luxuriant cultivation, brilliant in its verdure, for the crops were still far from their maturity. The genial warmth of those sunny days was grateful to the feelings after the long, long months of the bitter winter which at length had passed away; we had not there the scorching sun and fiery gales of India, but a cool, gentle breeze rustled the silvery leaves of the Zyarat, and waved the young corn, while the sun beamed brightly, but not fiercely, overhead. No, where, I think, or scarcely, could a more pleasant climate be found than that of Bameean in the summer months: the thermometer ranged in doors below 70d., generally at 68d., at noon day; only once do I remember it above 70, and that was on the 30th of June. At Syghan, again, only 37 miles distant, but at 4,000 feet less elevation, the thermometer was frequently at 84d. in the balakhaneh of the fort: and at Akrobat, I believe, they never knew what summer was, there being considerable doubt, whether it was colder there in August or December.

The valley in its summer garb was a pleasant scene to behold. Looking down from a gentle eminence, you saw it stretched beneath your feet, a bright spot amid a weary waste of hills, of which the sombre hue and dreary aspect added, by the contrast they afforded, to the charm of the smiling cais. Through the green meadows and the rich fields of corn or clover, the small rivulet pursued its devious course, now bubbling over stones and rocks, and anon, winding silently in its bed of clay, while here and there, upon its banks, now singly, now in groups, were scattered the mud-forts, which, with their mimic battlements and bastions, and the small clumps of trees usually beside them, formed picturesque objects in the landscape. Around, on every side, rose the brown hills, dotted here and there with scattered flocks, cropping the aromatic pasture which thinly grows upon some of the hill-sides,—the sheep appearing,

but as specks in the far distance, and clambering up steep acclivities where really, even on a close view, there appeared no resting place for their feet. Still, even now, the snowy peaks of the mountains formed the back ground of the picture ; but there was many a break in their white covering now visible, disclosing the black jagged rocks which in places projected from their sides.

Such was the scene ; and calm and bright as was the face of nature, still not more calm than were our days, still not more bright than were our fortunes there. But these soon passed away ; nature's aspect remained unchanged ; but the clouds gathered in our horizon and the sunshine of prosperity left us. Soon strange rumours reached us, at first listened to incredulously ; but day by day, fresh reports came in, assuming a more real and circumstantial form, until at length we were compelled to admit that affairs were not quite in that Utopian state, we had imagined. These rumours were mostly from the northward, from Captain Hay's post at Bajgah ; but there was one strange report from the direction, of Shibr. This I will mention first, as it proved but a mere rumour of the day. I have mentioned elsewhere that the Sheikh Ali Hazarehs had been in the constant habit of levying black-mail from the Bameeanchis ; whether these people fancied that we were not prepared to receive them, from the fact of having detached the greater part of our force, or, whether it was a mere invention, I know not ; but we received information that they intended to pursue their usual course, notwithstanding our presence, and to *chupao* Popshee, only six miles distant from our post. However, Rattray despatched scouts to Shibr to give notice of any movement that might take place ; and in a few days, we learnt, somewhat to our mortification, that their determination, if ever adopted, had been abandoned.

I must now leave Bamian a while and return to Bajgah, where Hay had arrived at the beginning of July ; but before entering upon a narrative, of the events that took place in that quarter, I will endeavour to give some faint description of the valley of Kamurd and the neighbouring localities.

It was scarcely worthy of the name of valley, but rather should be called a deep, dreary glen, so narrow was it and so vast the rocks which bounded it ; through it there flowed, as in the more southern vallies, a narrow rivulet, but this, like the dell which it watered, was deep, far deeper than the streams of Bameean and Syghan, with steep banks, and seldom fordable. The valley (for I still shall use the term commonly applied, though it gives but little idea of what the place really resembled) was approachable by two principal roads from the northward, the one by the Dundan-i-Shikun, and the other by the Nal-i-Ferish ; besides these there was a small difficult pathway leading by a less devious route across the

hills immediately in front of the Syghan fort. The nearest fort to the northern base of the first named pass, was that of Izit-ool-lah Khan, a friendly Tajick ; near this, the river (commonly called *Soorukab*, from the red colour of its waters) was fordable, though with difficulty, from the rapidities of the current ; a short distance lower down the stream, there were two other forts, belonging to one Sula Beg ; these were admirably situated for the purposes of mutual defence ; they were on opposite banks of the river, connected by a small wooden bridge completely screened by the forts on either side. Of one fort the gateway opened upon the river, while that of the other was placed in the eastern face, or that looking towards Bajgah. In front of this entrance there was a small mud-wall, forming a species of rude redoubt ; moreover, this front was flanked by a fire from the other fort, which projected about one-third of its length further to the east, so as completely to guard the approaches to its neighbour ; both of these forts were of better construction than the generality of such edifices. At this point, too, the valley was so narrow, that if the neighbouring hills were occupied, a party attacking the forts, would be exposed to a close, plunging fire from either side. On the Bajgah side, reaching nearly to the very walls and extending for some few miles down, lay a dense tract of orchards, the trees being generally the apricot and walnut. These lands were enclosed and intersected by numerous mud-walls, adding considerably to the strength of the locality, if held by an enemy. Through these orchards led the narrow road to Bajgah. Further down the valley, was a fourth fort, also the property of Sula Beg. This was called *Pyeen Bagh*, and was situate, as the name implies, at the extremity of as "below the gardens" or orchards ; it was a very inferior structure to the other two, and at the time of my narrative, in a somewhat dilapidated condition.

The whole extent of the glen from Kamurd to Hay's post (a distance of 10 or 12 miles) presented much the same appearance with the exception of the change from orchard to field ; but every where it was narrow, generally under 150 paces in width, and always inclosed by stupendous rocks rising above 1,000 feet above the bottom ; tortuous too in the extreme, and at every bend you appeared to enter a dungeon, no outlet being visible till you approached it closely, and the gloomy precipices rising on all sides like walls. The fort of Bajgah was on the northern bank of the river, and at this point the hills were even higher than at Kamurd itself, at a rough calculation upwards of 1500 feet, or at any rate, I think not under that elevation. They rose for the greater part of their height nearly perpendicular, but above sloped off. In front of the northern face of the fort was the entrance to the narrow defile, leading to the foot of the Kara Kotul pass. The other road to Syghan led eastward from Bajgah, down the valley ; and, crossing the deep and rapid river by

a narrow bridge passed through a small village, and entered the Dosh-i-Sufaid, where was situated the fort of Sirdar Syud Mahomed. Thence the road passed across the mountain belt by the long and arduous pass, so aptly termed by the natives, "The carpet of horse shoes;" descending into the valley of Syghan, some five or six miles below Sar-i-Sung, and but a short distance from the strong-hold of Khifich Beg.

But a short time elapsed after the occupation of the post, before it became manifest that the inhabitants around looked upon the new comers with a jealous eye. The friendly feeling which had, in such a marked degree, existed at Bamian between the peasants and the soldiers, did not shew itself at Bajgah; but, on the contrary, from the very first, distrust seemed engendered in the hearts of the countrymen. Captain Hay endeavoured to place the intercourse between them on a more friendly footing, and to encourage the natives to establish some market or bazar in the vicinity of his fort; but his efforts failed, and he found the utmost difficulty in purchasing even small quantities of forage or grain. But though this sullen determination on the part of the inhabitants to keep aloof from the intending Feringhees, was soon perceptible, yet it was not until near the close of the month that more decided signs of hostilities themselves. About that time, the first rumours came of the gathering of armed men in the vicinity, and of the frequent passing and repassing of small bodies of sowars in the direction of the neighbouring Kōtūl. Nor was it long before Hay had ocular proof that such was the case, for, on the extreme summits of the northern hills overlooking Bajgah, were frequently seen groups of horsemen, apparently watching the movements of our people in the deep glen below them. These horsemen did not, however, remain long at any one time, but rather appeared to come and go repeatedly, or, as if there were different parties all passing from the Kotul towards Kamurd by the mountain, instead of by the valley route. Whether such was the case, I have no direct means of ascertaining; but think it highly probable, from the fact of a body of Usbeg horse, being shortly afterwards, known to be in the neighbourhood of Kamurd.

The plot soon thickened, and in a few days, there were several different bodies of armed men, principally of the Ajur tribe, posted between Kamurd and the Goorkah corps. Unfortunately Hay himself was at this time suffering from sickness, so much so as frequently to be confined to his bed. He had, as I mentioned before, no officer with him; under these circumstances, he wrote to Golding and Rattray, (who had, on hearing of these matters, proceeded to Syghan) to request that the former should be despatched with one company from the Sar-i-Sung garrison, to reinforce the Bajgah fort, which he did not consider sufficiently strong to clear the valley: at the same time, he recommended that the company should take the eastern road, as he understood that Baba Beg Ajuree had occupied the Dundan-i-Shikun pass. But the garrison of Syghan being under the command of Captain Garbett, this requisition could not be complied with, until reference had first been made to the last named officer: this was done,

and Rattray received discretionary powers to detach the company, if necessary ; Garbett himself too followed closely on the heels of his messenger, and joined the party at Sar-i-Sung. Ere this, however, the Ajurees had withdrawn from the lower part of the valley, and immediately after Rattray had written to Hay, informing him that he had received authority to send Golding to join him, if he should think fit to do so, information was received that the pass was again open. Under this altered state of affairs, the immediate necessity for the movement had ceased, and a letter to that effect was accordingly despatched to Hay ; but it would appear, that this unfortunately did not reach him until after he had sent off a party to meet Lieutenant Golding, whom he supposed to be on his way to join by the Kamurd route ; though such, in fact, was not the case, Rattray, having at the time, no immediate intention of detaching the company. But, unfortunately, Hay was misled by some expression, contained in one of the letters received by him, though they were not intended to convey such a meaning.

On the 1st of August then, Hay, being himself still suffering from indisposition, detached a sergeant (the only one with the corps) in command of two companies of the regiment, with instructions to repair to Kamurd, for the purpose of meeting and escorting to Bajgah, Lieutenant Golding, who, he expected, would reach the former place on the 2nd. Accordingly, the little party proceeded up the valley, and their march was accomplished without interruption. With the permission of Sula Beg, who appeared friendly disposed towards them, they formed their bivouac for the night close under the walls of one of his forts ; but little did the poor soldiers, many of whom there took their last rest on earth, dream, when at night they lay down to repose, that the faithless chief was then plotting a foul conspiracy against them. But so it was ; Sula Beg met them with smiles upon his lip, but with treachery in his heart : he wanted either the power or the courage to carry his own machination into effect ; and so, upon the arrival of the detachment, he wrote, or, perhaps more probably, sent a verbal message to the chief of Ajur, saying, " See, I have the Feringhees in a dhög * ; they are ready to your hand ; come, lose not the opportunity ; but if you are not here by noon^{to} to-morrow, I will yield up my fort to them." He was not reduced to that alternative ; Baba Beg did come.

The morning came, but with it came not the party they had been sent to meet, and the sergeant supposed that the march of the other company had been deferred, and accordingly, after the lapse of a few hours, prepared to return to Bajgah. The detachment, however, was not destined to quit the place in peace : suddenly, without the slightest suspicion of danger, having been up, to that moment, entertained, a matchlock fire was opened upon them from several directions, both from the walls of the fort and from the neighbouring orchards. They quickly prepared to resist

* " Dhög " ; literally a pot or cauldron : meaning that the party were in a situation, whence they could not escape. The term is rather an expressive one, applied to any part of the glen ; but probably Sula Beg did not refer to the localities, but meant that he had them " in a fix."

their aggressors, and it was well they did so, for a body of Usbeg horse now made its appearance, and charged down upon the little band, which, however, stood firm and quickly repulsed them. But not so with the Ajuree footmen ; these were posted in such positions, as to be screened either by walls or trees, nearly entirely, both from shot and sight; and from behind their cover, their long jezails played with deadly execution. At length, but unwillingly, Douglas, (worthy of his name and of a better fate*) was compelled to withdraw his men from the forts.

Step by step, inch by inch, firmly, with a bold front, the little band retreated through the dense orchards and the wilderness of gardens, exposed to the galling fire of their scarce-seen enemies ; but ever and anon, wherever he could catch a glimpse of his foe, the serjeant fronted his party and returned their fire. The contest was a very unequal one ; the Ajurees had both the advantage of the situation, much aided by their knowledge of the ground, and of a superiority of numbers. Moreover, they were accompanied by a body of horse, which, although they did not again attempt close quarters, was of a material service; for the sowars frequently took up some footmen behind them, and then galloping off, would place them in some convenient position whence they could better annoy the retreating party. Thus the fight continued for some miles ; our men were dropping fast under the fire of the Ajurees ; the wounded were assisted on by their comrades, but the dead lay on the ground where they fell, the serjeant, however, taking the precaution of stripping them of their arms and ammunition ; the disabled were also relieved of their burdens ; and to avoid encumbering too much the remnant of the party, and at the same time to prevent such implements of war from falling into the hands of the enemy, many of the muskets were thrown into the deep river which ran by the road side.

The party had still some considerable length of road before them, and nearly utter destruction seemed inevitable, for their numbers were already much diminished, and their ammunition nearly expended ; but, fortunately, succour was at hand. Tidings of this lamentable affair had early reached Bajgah, and, fortunately, about the same time Sturt had arrived on his return from Kooloom. This officer volunteered his services to Captain Hay, and was immediately despatched with two companies to the assistance of the serjeant, and the joy of the little party may be imagined, when, at the very time at which their situation appeared hopeless in the extreme, they beheld advancing towards them the serried ranks and glancing arms of those whose well-known uniform proclaimed them to be friends. At the sight, the Ajurees, till then triumphant, turned and fled quickly towards Kamurd, and two parties united, returned now unmolested to the British fort.

And such was the inauspicious commencement of the campaign which at length terminated in signal victory.—*Hurk. Nov 27.*

* He afterwards rejoined the European regiment at his own request, and was accidentally drowned at Noushera in the river of Cabul.

PROGRESS OF DISCOVERY AND OCCUPATION OF THE COLONY OF NEW SOUTH WALES.

REPORT BY THE DEPUTY SURVEYOR-GENERAL ON THE CLARENCE,
JUNE, 1839.

In the northern division the stations of the settlers were extended over most of the country that had been traversed by Cunningham many years ago; and it was, consequently, an object of importance to them to economize their land transport as much as possible. Moreton Bay was already under survey, according to instructions issued in January, 1839. Some vague information had been received from various quarters concerning a navigable river rising in the coast range, flowing through a fine country, and entering the sea between Port Macquarie and Moreton Bay; but the peculiar circumstances of this settlement had hitherto precluded the possibility of collecting any specific information with regard to the tract of country in question. The accounts of a new district, holding out prospects of advantage to settlers, both in an agricultural and commercial point of view, induced the owner of the steam-vessel, *King William*, to despatch her for the purpose of affording parties interested in the discovery an opportunity of verifying, by personal observation, the accounts that had been received.

The Deputy Surveyor-General was permitted to join in the excursion, and directed to communicate to the Government such information as might appear to him essential towards the future opening of the country on the banks of the river, which it was intended to explore.

Accordingly, on the 20th May, the *King William* left Sydney, and reached Port Macquarie on the 23rd, having been delayed some time at Newcastle. After landing some invalids and passengers at Port Macquarie, the *King William* proceeded on her trip, and arrived off Shoal Bay, lat 29° 20', on the following evening; but it being late, and the weather somewhat squally, the entrance was deferred until the next morning, 25th May, when the vessel crossed the bar in two fathoms water. The approach is round a beautiful grassy hill, forming the south head, to the northward of which is a reef of sunken rocks, that render the entrance somewhat hazardous to strange vessels.

The north shore, like those of the Hunter and Hastings, is an extensive sand spit, so that in the present state of the reef, vessels entering run well to the northward, and then haul close, so as to bring the peaked hill clear (apparently inland) of the south head; they then hug the southern bank (the channel of the river being on this side,) and round the sand spit on the northern side. The soundings taken on the bar varied from four fathoms to quarter less two; but the tide had been ebbing for nearly two hours, so that at high water 12 feet may be confidently relied on.

The schooner, *David Ogilvie*, was lying at the mouth of the river waiting for a wind, at the time that the *King William* entered.

As the coals taken in at Newcastle were intended for the whole trip, it was necessary to husband the supply by the use of wood, in running up and down the river ; the steamer therefore anchored close to the shore on the north side of the river, and remained there till Monday the 27th May, the interval being occupied by the passengers in the interchange of civilities with a tribe of native blacks, who were huddled in a sort of temporary village at the head of a deep estuary, which appears to give a considerable command of fishing ground, such a position being essential to their subsistence.

The canoes of these blacks were formed with more care than those in the neighbourhood of Port Macquarie and other places that had been visited, and were moored in a line in front of their village. The natives appeared to possess, to a certain extent, habits of industry : their fishing nets, baskets, water-vessels, and cooking-utensils being constructed with peculiar care and neatness. These people were delighted with being presented with some fish-hooks. They were much terrified at the first appearance of fire-arms. Like most savages, they are addicted to thieving ; this propensity has unfortunately led to outrages on the part of some of the whites, the effect of which it will be extremely difficult to avert.

For about fifteen miles up the river, the soundings varied from three to five fathoms, the average breadth being nearly a quarter of a mile ; but, owing to the denseness of the brush on the banks, no part of the country could be seen from the deck of the vessel, but was completely screened by a mass of most luxuriant vegetation : the stems of gigantic trees, covered with climbing plants of various descriptions, and which fell down in graceful festoons from the upper branches, produced an effect observable only in a region fresh from the hand of nature.

After passing a wide estuary to the northward, the steamer approached high ground, at the foot of which was another native village ; but the inhabitants fled at the appearance of the vessel, leaving behind them some fishing nets and cooking utensils, that were afterwards found in the same position when the party returned.

About five miles above this estuary, the river divides into two branches, formed by an island of about 120 square miles in extent. The mouth of the southern branch is somewhat obstructed by sunken rocks, but which the steamer managed to pass on her return.

A little above the junction of the two branches, another very wide estuary occurs. Opposite the entrance of this estuary the *King William* anchored for the night of the 27th, at the foot of a mountain that was named Rocket Point, and on the following morning proceeded on her

course along a magnificent reach of about 18 miles in length, there being sufficient breadth to work a sailing vessel as high up as Susan Island, about sixty miles from Shoal Bay, by the course of the river, and the depth seldom less than five fathoms. For want of sufficient information as to the shoals that are formed at some of the elbows by the washing down of the light soil, the vessel grounded between the last mentioned estuary and Susan Island, but was got off at high tide, on the afternoon of the 29th, and reached a station occupied by Phillips, where the frame of a vessel from 120 to 150 tons burthen was on the stocks. The country in this neighbourhood becomes slightly undulated; the banks of the river at the water's edge about 15 feet high; but a little retired from these are swamps and alluvial plains many miles in extent, the land being all of a description similar to the rich flats on the banks of the Hawkesbury. A little above Susan Island the water is fresh; the river, although narrower and more confined in its banks, still preserving nearly the same depth as lower down, the soundings varying from two to seven fathoms for twenty miles higher, (excepting at one or two shoals, the situations of which are well known to the cedar cutters). The dense brush with which the lower part is fringed, now occurs only at intervals; the banks are bold, rocky, and occasionally varied by gentle slopes; the character of country, that of open forest grazing country, of sandstone formation.

At three P. M., on the 30th May, the steamer brought up at the foot of a rapid, and was moored close under the left bank, having then made about eighty-five miles, by the course of the river, from the heads. In commemoration of an event that has not occurred in any other part of this country, viz., a very large steamer navigating so far into the interior, the mount under which she lays was named King William's Mount.

A little above this point is the confluence of the two branches, both navigable for boats a considerable distance above their junction, probably fifteen miles by this course.

The southern branch was examined by the party above twelve miles, soundings being taken the whole way, which gave from one to four fathoms; but the river was evidently much above its ordinary level, and the current very rapid. From a high point immediately above the confluence of the northern and southern branches, the general features of the great range dividing the eastern from the western waters were distinguished, the distance of the nearest remarkable mountains being apparently about twenty-five miles, the most remote about forty. To the westward (nearly due west) is an immense chasm, backed by bold and lofty mountains; one mountain, bare of timber on its eastern side, and of volcanic appearance, standing alone, about midway between the eye and the range forming the back-ground. The first waters of the river seem to collect in this great chasm, and forcing their way through those parts which offer the least resistance find an outlet

In consequence of the absence of two seamen belonging to the *King William*, the steamer remained stationary till the 5th of June, when she returned to Phillip's station at Susan Island; a slight fall had taken place in the river; but at Phillip's the water was still fresh; which is not the case during the dry months; so that the difference of level between this point and the coast must be very inconsiderable.

On Saturday the 8th June, the steamer descended by the southern arm of the river, and attempted to navigate a stream falling into it from the south; but its progress was arrested by some sunken rocks at the mouth, where she remained until high tide on Monday the 10th June; she then pursued her course until again brought up upon a rock at the junction, a little below the estuary, and nearly opposite Rocket Point, where the steamer had anchored on the night of the 27th May, as mentioned above. During the detention some of the party ascended a high point, commanding a view over the immense alluvial plains between it and the ocean.

The steamer was got afloat at high tide, and, by cutting away some overhanging branches, a channel was found for her close to the banks of the island; she then proceeded towards the position she had taken upon the day of her entrance into Shoal Bay, and on her way took in the two men who had wandered from the party in the reconnoissance of the upper part of the river. These men, it appears, had forgotten that they were in the southern hemisphere, and, by travelling east, when they fancied they were going west, had reached the coast under Peaked hill. They represented that during their journey they had fallen in with some tribes of native blacks, by whom they were supplied with food, and otherwise kindly treated.

As a field for the employment of capital in agricultural and commercial pursuits, the opening of a tract of fine country so situated, with respect to the station to the westward, is contemplated with satisfaction by those who may be considered competent judges. In the lower part of the district alone there is room for a large body of industrious emigrants; and such is the nature of the soil, that little apprehension is entertained of its affording abundant compensation for the labour that may be bestowed on the cultivation of wheat, maize, the vine, tobacco, sugar, indigo, and many other articles of consumption, and even of export. The height of the neighbouring mountains, so near the coast, ensure to this quarter some protection from the hot winds that prevail to a great extent in more exposed parts, and to their proximity to the coast may be attributed the frequency of showers in times when other districts are parched with drought. The connexion with Moreton Bay, where the survey is steadily progressing, is already established, by the discovery of a practicable route between the coast range and the sea; and with respect to the operations that are necessary as a preparatory arrangement to render the country at the back of Shoal Bay available for settlers of every class, contracts

have been entered into for the survey of both banks of the river. The survey of the north bank of the M'Leay river is also in progress; so that the whole country extending on the north from Moreton Bay to the coast range, on the west from Cunningham's Gap to the crest of the Liverpool range, on the south from the sources of the Peel to the coast in latitude 32d, and on the east to latitude 28d. 5m (Moreton Bay), comprising an area of about 40,000 square miles, may be said to be in a state of preparation, as regards the survey, for immediate location.

With the view of rendering the Clarence available as a port for the shipment of wool, as well as of ascertaining whether the resources of the country were sufficient to hold out inducements to form fresh stations, several land expeditions have been undertaken, and the result is, that a practicable track for driving stock across the country has been discovered; but whether in the most suitable direction can only be determined on the completion of the survey of the whole country between the sources of the river and the heads of the M'Leay. According to all information that has reached head quarters, the Clarence takes its rise in the mountain called "Be Lomond," the principal branch running in a north-easterly direction, till it unites with another branch falling from the northward, and is again met by a river which rises on the Peaked Hill, near the coast. On the banks of these steamers several settlers have already established themselves; and a considerable quantity of stock is now ranging over the country eastward of the coast range, that had heretofore been looked upon as impassable barrier.

At this moment about 200 persons of various classes, viz, graziers, mechanics, farm servants, and mariners, occupy the country between the mountain and the sea, the access to which formerly presented difficulties too serious to contemplate, unless counterbalanced by advantages that would compensate the risk of enterprise. At the head of the navigation a post office has been established; a store also, for the supply of the settlers has been established here by a mercantile house in Sydney. Several vessels are employed in the transport of articles of consumption, and the utmost activity prevails on the banks of the river, in appropriating the advantages placed by nature at the disposal of civilized man. Owing to various disasters and apprehensions, the survey by contract proceeds less rapidly than was expected. Three parishes are laid out and described in sections, ready for sale, and some spots have been pointed out as sites for the formation of towns and villages; but the principal point of concentration has not yet been determined. It therefore appears desirable that some further advance should be made on the part of the settlers, before any of the land be brought into the market for public sale. It may be observed, that the circumstance of a vessel, built in Sydney by one of the earliest occupiers of a station on the Clarence, and who was constantly in the receipt of information with respect to the nature of the entrance, and the soundings up the river, being dispatched with passengers and

merchandise, all destined for the upper part of the river, is an evidence of the general opinion of the value of the accession to the parts already under location.

S. A. PERRY.

Report of the progress of the Survey at Moreton Bay.

In the more northern district of Moreton Bay little advancement has been made in the occupation of the soil, owing to the immense distance of land transport ; but a very considerable portion of the country between that settlement and the Richmond river is described by the surveyor as rich and beautiful, consisting of extensive plains, upon one of which (Normanby) he measured a base of three miles as a foundation for the principal part of his trigonometrical operations. Upon the plan which accompanies this note his triangulation is laid down, the observation and calculations being preserved in the archives of the surveyor-general's office. Mr. Dixon has now been instructed to furnish a plan and description of a mountain boundary for a country, and to mark off and describe for advertisement for sale a number of parishes divided into sections and smaller allotments, and to propose for approval such reserves for the formation of towns and villages, as his experience in the country may suggest. An opinion has been expressed that the site for the principal town (Brisbane) is injudiciously chosen ; but, as it has been observed above, the chief point of concentration will depend upon the disposition of the settlers themselves.

The survey of this part of the country has been performed under harrassing difficulties, and has been attended with a most lamentable disaster. Mr. Assistant-surveyor Stapylton, who had been detached to extend his operations towards to the head of the Logan, was occupied on the morning of the 31st of May, writing in front of his tent, while one of his party was preparing his breakfast, another being sick in his tent, and the remainder employed in forming a passage across a creek at some short distance, when the tents were suddenly attacked by some native blacks who had been loitering about them, and the unfortunate officer and one of the men fell victims to the unbridled fury of the savages ; the other man was dangerously wounded, and the tents plundered of every article that was portable. In this state they were reported to have been found by the party on returning from work at the creek, and who immediately fled to give the distressing information to the commandant of the settlement.

The remains of Mr. Stapylton have been interred at Brisbane town. Some of the supposed accessaries to the murder have been apprehended, and will be brought to justice on their arrival in Sydney.

S. A. PERRY.

Sydney Herald, August, 16.]

A TRIP TO SIMLA, &c.

NOTES OF A TRIP BETWEEN MUSTERS TO SIMLA, AND NEIGHBOURHOOD,—Reached Pinjore about noon on the 2d of this merry month of May, having dawked it so far from Kurnaul. Stopped at one of the two little Chinese-looking hovels known by the name of Traveller's huts, each consisting merely of one room of some twelve feet square, and surrounded by a narrow open verandah. Not a chair, nor a table, was there in either of them; and as for "putting up" there, I can put up with *much*, but I could not pretend to put up with so very *little*; so that it was lucky I had sent off a horse from Kurnaul before starting, to wait my arrival at that happy valley. And there stood "my gallant gray" ready and willing, I was sure, to carry me over the rough and shingly road, betwixt Pinjore and Burh, without committing a single *faux pas*. I ordered him to be saddled instanter, and as I knew his syce, old Badul, usually converts instanter into twenty minutes on such occasions. I strolled towards the overgrown garden, whose extensive and erst beautiful parterres I had heard had been neglected of late. But 'tis no such thing! Methought I should have found it overgrown indeed, like the voice—pooh, the garden—of the sluggard in Dr. Watts' hymns, and changed sadly for the worse, like myself. I had often rambled over it, brimful of poetry, romance, or Heaven knows what, "in my green youth, when George the 4th was king," and now, to my surprise, I found the extensive and beautiful garden improved rather than the reverse, as with many a mingled feeling I recalled my former visits to it, and sighed to think how many a dull, flat and profitless year had passed in India since that time,—no whit richer, no, nor much higher in my Regiment now, than I then was.

I was still only beginning to suffer these melancholy recollections to take possession of me, when malee bowing to the ground and to myself presented a dalee of what proved to be rather nice apples, and, but I can't say much for the peaches. This primitive fare, seasoned with a glass of port of the hottest (from my palkee) and water of the clearest from the well, soon recalled me from my reverie, and as I "munch'd and munch'd, and munch'd" I half cried "aroint thee witch," to old dull care—I began to think this wasn't such a very bad world after all. Throwing an eight anna piece to the malee, and a parting glance at many "a leafy walk, close and continuous, fit for lover's talk," and the long array of camels with their *jets* ~~dean~~ which latter emulous of those in the Rimini,

"Beneath the cloudless sun glimmer'd with showing light," and beside which, in other days, 'tis said, the fair Noor-mahul loved to wander.

I was retracing my steps towards the heavy looking gateway, which gives ingress to this Eden, when, what should greet me, but a cuckoo's "wandering voice," not wandering at all but floating from out

"A spot that struck you like enchanted ground;"

where the birch and poplar (transplanted from the hills,) stood mixed with heavier trees indigenous to the plains.

I had no conception, that those welcome types of our happy father land would have appeared at so low a point, but there was no mistaking its "sweet twin notes,"—'twas a veritable cuckoo, and as I have just said—"no mistake." However, a fellow can't stand "from morn to noon, from noon to dewy eve,—a summer's day,"—listening to cuckoos;—and I was soon out of hearing of this "Darling of the Spring;" and after half an hour's smart riding I found myself within sight of Barh, whose low, flat, mud-roofed huts, rising in regular gradation row above row, were to me a sight infinitely more welcome than the Chinese prospect of the valey, and the garden I had just quitted, even though the latter was filled (as in truth it was) with butterflies as brilliant and as various as those on the summits of the Haynang and Nan Hoa mountains at Canton itself. For there stood, or rather hung, the *high* road to the dear hills, winding in steepest zigzag over the bluff headland of a *barefooted* hill, whose far-off summit, was covered with misty pine forests.

The Barh bungalow was an old friend that I was very glad to see once more, but one with all that I did not quickly recognize, for the two close and unfurnished rooms, and the low, narrow verandahs swarming with wasps' nests, which ten years back comprised the amount of entertainment that it offered for man or horse, is now converted into a commodious house, consisting of four large rooms, besides airy and cleanly verandahs and bath rooms.

Then there are chairs and tables now-a-days, and a smart Khansaman, who, with his several myrmidions, supplies, "at a moment's notice," as good a breakfast or tiffin as a man can reasonably wish for.

He has also been supplied with wines as good as any that are to be had at Simla, and in this department, a placard in the open veranda before the house, provides against "tricks upon travellers."

The *cartel* runs thus—

The following are the prices fixed by the Committee for the under-mentioned articles, viz. ;

		Rs.	As.
1 Bottle of Beer,	1 0
1 Ditto Porter,..	1 0

1 Quart-bottle of Sherry,...	.....2	8
1 Pint ditto Sherry, .....	.....1	0
1 Quart ditto Port,...	...2	8
1 Bottle of Brandy, .....	....2	8

MANAGING COMMITTEE.

Major-General Smith,	} At Simla
Captain Rainey,	
Captain Munro,	
Captain McCausland, .....	..... At Sabathoo.

All complaints against the servants to be made to one or other of the above gentlemen.

Thus ends the notice, which I have taken the trouble to transcribe, because those who have thoughts of visiting Simla, will be glad to learn, that they need not carry supplies beyond the point at which they quit their palkees, viz, this same Barh, a bar which is anything but an *impediment* in the way of their onward and upward journey.

In addition to the accommodation just noticed, I may observe for the satisfaction of my fair readers, that within these last few months, (as I learnt by personally interrogating a very respectable looking young ayah) female servants of different classes, have been established at the Barh bungalow, for the especial comfort of the numerous lady visitants, who annually visit Simla.

On dismounting, to my dismay, I found that, even in a gentle canter, over the rough flinty road from Pinjore, I had cut one of my horse's feet severely—so severely, that it appeared doubtful whether I should be able to ride him all the time I remain at Simla! I mention this, *else* uninteresting circumstance, because “I think it good” to warn my readers, if I have any, not to quit their palkees till they reach Barh—and *certainly* not to ride a horse of any value over the heavy shingle, which, as I found too late, lies betwixt the two points just named. Having done what I could for the poor beast, ordered neem poultices and then tar and blue wash, (by the way there were no neem leaves to be had)—I betook me to as comforting a toilette, half a dozen ghurras of cold water not the worst part of it, as one could have enjoyed in one's own “house at home,” and then to a capital breakfast, including good tea from the khansaman's stock, not mine, which soon prepared me for the up-hill work to be performed. So fortified and provided, thanks to the foresight of the khansaman, with a bottle of Port; a cold fowl and some slices of the unclean animal, I entered one of the forty or fifty jampans that stood ready at Barrett's godowns; and carried by sixteen good-looking mountaineers, whose only

offence was—"rank, it smelt to heaven" to wit, that *they* too were unclean animals, I was soon mounting the hill at a brisk pace.

Delightful sensation that of feeling you are going up hill without any exertion upon your part ; and more than all delightful when attended by the knowledge that you are fast, though, oh ! not half fast enough, leaving the burning, parching plains of India far beneath you. And then again "how nice," as the ladies say, to mark how the scenery improves at almost every pace, and fancy you already feel the air grow cooler as you mount. Heavens, *how* delicious it is ! The bare idea of going down again would have been,—but who would think of hell while nearing heaven ? Already had the plains become abhorrent to me ; those very plains in which I had somehow managed to be tolerably happy not a week before,—and fine as was the prospect at my feet, where the first and lower range of hills seemed scarce raised above the level of "the general earth ;" and where the plains themselves, "now is shadow and now is sheen," lay *spreading and streaked*, in the distance : visible from the heights which I had already soon attained, with the bright Sutlej winding and stretching, fainter and more faint, among their far off hazes, till plain and stream both faded,—both merged into the purple sky. Fine as all this doubtless was, it was to my mind vastly *finer* to keep a look out for the changes from the tropical to the temperate productions of "our great mother," as Shelley calls her ; and the first bush of nettles—regular down-right stinging nettles—by Jove, sir, I had half a mind (*would* perhaps only I didn't want to stop and to jump out and take a sting just for auld lang syne and old England, and to prove that there was "no mistake." And when about the same time came the first glimpse of a clump of Scotch firs, a libation of port came to the lip of its own accord ; and another was absolutely necessary as one crowned the noble height, just looking down upon the pine tree bungalow, at Chumbeea, and commanding that beautiful expanse of mountain stream and valley, which suddenly bursts upon you from that point. The scene, from hence is, in fact, as superb as any in the hills, at all events as any on this side of Simla. Simla itself is perceptible from hence any fine day, rather misty and looking rather blue to be sure, but still with all its "five *points*," and heights and ridges, distinctly visible. The heights of the large and lesser Shali peaks are also to be seen, immediately behind it, and these again are backed by two or three yet loftier ranges, which, in their turn, stand out even at *that* distance (so rarified is the air through which one views them) in clear and bold relief.

In the nearer ranges you have a varied succession of bare and wooded hills, less and less shadowy of course, as they approach you, or you them,—and on one of the more conspicuous of which stands the pretty little cantonment of Sabathoo. The Chumbul, already swollen by the par-

tial fusion of the snows of the Himalayas; the narrow, but clear and rapid, (almost stormy) Chumbul, dashes along with a murmur that is inaudible till you get, midway down the tortuous descent leading to the bridge by which you cross it. This Chumbul (which I cannot get rid of !) runs between Chambeea and Sabathoo, and your journey, for some miles, lies along its rocky banks, though its waters are occasionally hidden from your view by the intervention of some bluff precipice round which you are obliged to wind, and whose rugged side the river washes. The appearance of Sabathoo, as you make the descent just mentioned from Chambeea, is striking and pretty enough, but a visit thither would by no means repay the trouble of diverging so far from the direct route, at least if you are in a hurry to reach Simla. For myself, I was most impatient to *take those high grounds*

Leaving, therefore, Sabathoo to my right, I pursued the new road thither. I *mean* to *Simla*—which leads you to Hurreepoor in about half the time that it would have taken you to reach it by the old “round-about” way. There is a picturesque looking rope bridge just below the village of Hurreepoor, which is used, I believe, in the rains, but over which no one passes now-a-days. The natives prefer wading through its clear buoyant waters, and the horseman from Sabathoo or the plains, aware that they will have a halt, a change of horses, at the Hurreepoor bungalow (just above not, however, visible from the bridge) are wont to let their horses take a pull, first at the bridle, then at the stream, as it dashes, shallow and babbling, over its pebbly bed.

It was lucky I didn’t want to stop at Hurreepoor, for both sides of the house were pre-occupied, the one as I learnt by a *mem sahib*—the other by a poor fellow going up in a doolee, so I suppose, very ill. For my part, I wonder at any body, but ladies or invalids, stopping at so near a point as this; for Hurreepoor lies some thousand feet lower even than Sabathoo, and is always, need I add? disagreeably close and warm. Further, there is no accommodation there, save that afforded by an empty house and two deal tables. At Saceree, on the other hand, (or rather on the *same* hand, but some six kos further on,) you find all the accommodation, in the way of servants and supplies, that is provided for your comfort at Barh. I reached Saceree about two o’clock, on the morning of the 3d, and though I had no intention whatever of remaining, even *there*, yet as the jampanees begged that I would allow them to halt for half an hour while they were crunching chubanee and gloating over lumps of goor, I took a tumbler of hot port wine negus. We then jogged on again, but I had hardly got a kos beyond Saceree, when I was met by a syce, and indeed by a pony too, which latter neighed as I approached—while the “horsekeeper” enquired whether I were—he who I am. Not being ashamed to acknowledge to my name, when I find it worth my while to do so. I was,

soon mounted on a fat which my kind friend P. had sent down to help me along, and galloping along in the dark, and trusting to the little fat to keep me out of harm's way, which he did, I found myself, just as dawn broke, crowning the heights above that vilanously tedious ghat that every-body must toil up ere he can repose himself at Simla—dear Simla.

I “pulled up” beneath the cold fresh breeze that now blew across the plains that hung round and above me and watched the morning advancing an old “Jacko,” and strove to distinguish its features as they struggled through the twilight.

“Through the twilight.”

Ten years, it at first seemed, had wrought no change upon the place, but again I looked, and presently as the shadows of night were dispersed, numberless new houses, *new* at least to *me*, (and young and handsome certainly,) peered forth and studded every hill side and more than one hill *top*.

Some of them had quite an English air about them, with their pretty surrounding gardens, so trim and neat, and *scented* the air, as you passed, with the odours of a thousand English flowers, though, perhaps, one was more struck after all with the hedge-rows of sweet briar and wild roses, white and red, with their early buds already “plentiful as” the “black-berries” with which they mingled; and then it was “quite an unexpected pleasure” to see the English looking curtains hanging at the windows in all sorts of tasteful “draperies,” instead of those horrid jilmills. I shouldn’t have minded very much just then if I’d been a married man. It struck me as I passed along, that it must be pleasant fun enough—all things else consorting—to find yourself, as I did that fine morning, passing along, one after another of these snug little “cottages ornées,” and then suddenly to stop—(as alack I, bachelor, *did not*)—and find yourself quite at home with a nice little wife, and perhaps a bairn or two. However, there’s a good deal to be said on both sides, so on I fared, quite content, when I found myself before the Bachelor’s Hall, of my good friend P. A cup of his delicious *café au lait*, which was gladly accepted, and a weed, which I declined, were followed by a warm invitation to turn my traps, when they arrived, into one of his rooms, and to make myself, as comfortable as I could for the month. But having a wholesome distaste to converting a kind friend’s abode into a *sponging* house, I lost no time ere I engaged a room at Mr. Hamilton’s, and subscribed myself a member of his mess.

It is a good sized house enough, and you don’t get a bad room for your fifty rupees a month. Mr. Hamilton does not reside in the house, nor preside at the table, though he pays almost diurnal visits of enquiry as to the treatment you experience from the servants, and especially at the hands of the khansamanjee and his familiars.

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There are nearly a dozen of us idle but jolly dogs, some of them, who think of little besides eating and drinking; though, probably, of *both* merely "*pour passer le temps*." These worthies are, of course, men who care little for either ladies' society or the never-ending-still-beginning delights of play. Those who have a *leaning* to the ladies are, I am told, to be seen soon after breakfast each morning, making ready to do a bit of Sammy amid the grass widows and young wives on the top of Jacko, and in the shady recesses of Chota Simla; and again, after tiffin, (at which we to-day made a long sederunt I'm afraid) preparing to join some cavalcade of belles, and transmute with their nonsense the pine woods of the Mall into the groves of *Blarney*. On the other hand, those who have a liking for *Loon*, daily meet at 12, or sooner, at McDonald's rooms, where private apartments upstairs, with a "dim, *religious* light" about them, are made sacred to gaming in all its variations, always excepting billiards, which latter game is carried on immediately below, with scarcely a bet of a chik, or from that upwards, to be had for—money. I have always steered between these two extremes, being neither through lady's manner gamester, and I have just now contented myself with calling upon the few families I chanced to be at all intimate with, and shall certainly "contented be" with looking in now and then while others play.

Among the friends just mentioned, I was to-day, so fortunate as to meet with an old friend and his young wife, who had lately arrived at Simla, and from whom, for the sake of mutual friends, I had formerly experienced much kindness, though I had no idea that I should soon have an opportunity of again receiving such at their hands.

I was delighted to find not merely that they were going in to the interior almost immediately, (for that, "*per se*," would have been any thing but goodness to me,) but that I should be a welcome addition to their party.

My arrangements were soon made; and as (to talk of an *important point*) the cut in my horse's hoof proved to be nearly well, when he came up this-evening, I may reasonably hope to be ready to start on the morning of the 5th, in other words the day-after to-morrow.

It is proposed, I hear, to proceed first to Huttoo via Nakandha, and then, if we have time, to turn off to the Cher. For my part I don't care where I go, the scene is no novelty to me, and all I care about is passing the month among pleasant people—and pleasant they are said to be—who form our party, ever so many pretty or agreeable women or both, and some right good fellows, (my good friend P. among the rest,) for their beaux. P. has kindly lent me a sholdaree, and Hamilton is to take the bore of getting carriage off my hands. I shall be too much occupied to write again till we

reach Mahashoo, where we are to breakfast on the 5th. To-morrow must be devoted to exploring Simla, for the better performance of which feat I have secured the services of "a kind friend's horse and my own spurs."

May 5th.—There had been some reason to fear, we should not get mules and coolies in sufficient numbers to meet the wants of the whole party, which was nearly as numerous as that of the Canterbury Pilgrims; but they were luckily procured, at the eleventh hour, though at a most exorbitant rate, and we consequently started for Muhasoo, a little after day break this morning; tents, servants, and whole troops of coolies laden with the good things of this life having been, of course, despatched yesterday. It was a delightful morning and even cold when the earliest of us started, which we did by the light of a waning moon and a kindling sky, while as we moved along, the merry laugh to which one feels so constantly disposed in this exhilarating climate, seemed to awake the echoes that reposed in the valley far below our path.

The richly wooded scenery of Simla is suddenly, though but for a brief space exchanged for utter barrenness, to which you are introduced probably for "the first time this season," just as you leave Government House (as Dr. Ransford's is still named) to your left; and, after winding round: the huge base of the mighty hill, one side of old Jacko, whose oak-clad sides give you the last glimpse of English dwellings, turn at once towards a succession of barren and precipitous mountains.

To return to our party, (which was too agreeable to be left for any length of time,) having reached the barren points in question, which, however, marks the commencement of a long tract of level road, we put spurs to our horses, or the ladies put whips perhaps to theirs, and galloped again for a space of nearly two kos, just drawing rein for a moment over a very rough bit, or an unexpected dip now and then.

At length it became necessary to pull up on reaching the foot of a steep acclivity, and as we walked the horses up it, the sun rose and lighted up the dark flowery heath that covered even the most barren mountains, to their tops, which sometimes towered as high above us as the valleys lay deep beneath our feet.

As we crowned the pine-clad height, beneath, though not immediately beneath, which lies Mahashoo, we drew up, as it were with one accord, to gaze at the snowy range, which, though far, towered, seemingly at hand, in its unveiled glory, glancing before the early sunlight

Again the road dipped, and then once more it was level, and again we had a long and delightful gallop. This brought us to the foot of the Mahashoo hill itself.


The pull-up from hence was a stiff one, and the view from its top was, perhaps, even yet finer than that from the former point, especially as in addition to the "sight" of the snowy range, we had now, by looking back instead of forward, a fine prospect of Simla lying far below us, in what the artists call the *first distance*, its villas and cottages dwindled with specks "in dizziness" (which is nonsense) of that same "distance." And here and there, the fleecy clouds, up-broken by the early sun, and by its seeming slave the wind—hung on many a mountain top, kindled beneath a flood of light, and broken into rosy islets that floated on the sky's blue sea. And now we had "the gentle lark, weary of rest; from his moist cabinet, mounting on high," and as he "sang at Heaven's-gate" throwing life and melody over those barren crags. Presently, as the sun ascended, we penetrated the shadowy recesses of the forest, and became hurried among "primeval pines" of an immense size, and which, with every rood we journeyed, seemed to increase in stature. Their giant arms were occasionally clad in moss of the deepest emerald green, and on mounting yet higher, we found the more shady hollows at their feet—(and the forest extends far and wide over these heights) covered with snow wreaths, which were still spotless and unmolten, save where some storm had shaken upon them the cones branches of the pines. It was remarkable how many of the largest pines had been struck by lightning, still erect and towering, but utterly devoid of leaf and bark, mere whitened skeletons; while others lay around in fragments like colossal organic remains, bleaching beside their verdant and living brethren. Two trees especially struck me, two of those blighted trees, which, at the topmost branches leant against each other, and which were both in *height* at least—till fit to be "the mast of some high admiral."

They have just tempted me to commit myself in verse of which the following is an extract.

"And many a breezy dawn upon the hills,
Hath broke, and many a blushing eve gone down,
Gilding the lofty snow peaks, while those pines,
Waving in beauty mark'd them. One same wind
Hath bow'd them with one breath, and they have answer'd
Each to the other's whisper, since when erst
Shot the first branches upon either's stem.—
Now, years have past since them - one lightning glance
Hath blasted both, and still the old barkless patriarchs
Tower on together; and, their frail old heads
Propp'd either by the other, still they stand,
—Tried friends and true, to perish in one fall."

We reached Camp, which I am sure "Love ruled" in the present instance—and we early enough to escape from all inconvenience from the sun, which even at this elevation is intolerable after nine o'clock—at all events in M

After a most agreeable breakfast, and how could it have been other than agreeable with so many nice girls, and *dishes*?—but a breakfast

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whose amusing perstige, I can do no sort of justice to, though I believe I did to the viands, we quitted a tent which was the very antithesis to Sir Philip Sidney's

Chamber deaf to noise and blind to light."

and sallied forth in parties of four or five like, nights of old in search of adventure; though I believe *they* were not lucky enough on those occasions to be accompanied by their ladies.

It was delicious spring morning—the wind was cold and bracing, and the sun just dappled the ground from betwixt the pine boughs overhead;—and as you wandered you cared not whither, over the purple heather you felt the heart within rejoice, and could scarcely, if you would, recal even the memory of pain or sorrow, so bright and joyous became all things beneath the *genius loci* whose influence would seem analogous to that attributed by the Greek poets to the rainbow, which, according to *their* doctrine, made every tree fragrant on which it rested.

For my own part I presently found myself, alone, pernetrating further into the forest, and was so in surrounded by the giants of the wood, and encompassed by a silence (under the now breathless heavens) such as might have hung above the scene when yet man was not. The cloudless sun scarce penetrated with a beam the eternal shadows that slept beneath those boughs; and beneath the very flush of outer daylight the heart, but a few moment's back so joyous, felt chilled and saddened, though the onward path lay studded with wild flowers: the drooping narcissus, the crimson potentilla and the azure anemone. Pursuing that path, however, I soon reached a beautiful deep blue lake-let, reflecting more truly than would the finest mirror, mountain and forest and sky, and on one side, a group of bare rocks beneath which a herd of little hill cows were grazing. I had half a mind to hasten back and lead some of our party to this pretty and secluded spot, and yet, I insensibly lingered, unwilling to return to the every-day realities of life, wherein, "The world is too much with us," and the spirit finds so little time to commence with itself, or with higher themes. Onwards again I fared, whither I knew not, cared not, till I had reached a spot utterly barren and desolate. The woods in the background were indeed, "beautiful on the mountain tops," but the goat walk, I had pursued, had suddenly wound round the base of an herbless, leafless rock, and the fair scene, I had just quitted, was cut off abruptly, like early happiness by death destroyed.

No rill streamed past me, no sound or sign of life was near, but there, even in the centre of vitality and beauty, lay this blemish, like a plague spot.

No breath stirred, no bird shot over the drear expanse, no verdure struggled through the sand and shingle that lay glaring there in the fruitless sunshine. I could have sat there four hours. But it was not for *that* that I was asked to join a pleasure party. So I even retraced my steps, and returned towards the tents; but was presently diverted from that point by sounds of evidently *English* laughter and English voices.

I found they arose from a number of our party, belles and beaux, who had found their way to a wooden gable-ended temple, which was

“ Carved with figures strange, not sweet,
All made out of the carver’s brain,
For a nigger’s temple meet.”

The style of architecture to which it belonged, like that of perhaps every native place of worship in these hills, except the little Mussulman mosque at Simla, was of Chinese origin; and may not be out of place here to devote a page or so to a description of this kind of architecture.

The places of worship, then, as well as the better sort of private dwellings in these hills, are always constructed with gable-ended roofs, whose shape, though readily represented in a drawing, it is not quite so easy to describe in words.

The walls of these edifices are composed of hewn stone, and pine planks of some four inches thick, and very narrow; one layer of wood dividing every fifth and sixth layer of stones. The wood is applied solely for the purpose of strengthening and binding the stonework, with which no cement, whether of mortar or mud, is used, even in houses of three stories high. The walls are commonly about four feet in width, (a little less in English houses), and if the wooden planks are interposed with skill, they may be carried to any ordinary height of a three-storied house, and in the towers of temples are sometimes run up to many feet higher than that; though, after a certain height, it is found as might be expected, that the layers of wood should recur more frequently—say once to every *third* row of stones—than in ordinary buildings. The shingle employed, in preference for binding walls, is that obtained from the Deodar or the Keloopine, which keeps a wall up for centuries they say.

The temples have at one or other end of their gabled roofs, a tower often round but sometimes square, and standing out, just behind the body of the building; as the tower of a village church does at home. The roof is generally slated, but where slate is scarce, stout pine shingles (in other words deal planks) are substituted.

This roof, whatever its materials, is *not* in one unbroken plane, inclining from the apex to the lower extremity, but in three successive layers, of which the lowest describes with the horizon an angle of perhaps 30; the second 45, and the two highest unite the "*fustigium*" at angle of probably 60.

I don't know whether this is quite clear, I hope it is though, for I can't make it clearer. In the front wall, supporting and embraced by the gable roof, in that direction, there is, generally a square window of about five feet square, curiously and elaborately carved and subdivided into—what look very like pigeon holes. Frequently the tower to the rear of the main body is crowned (if it be a square tower) by a circular turret of six or seven feet in diameter, covered by a pointed roof which terminates at the centre in a series of circular knobs or *bosses*, each in succession smaller than the last.

The temple here is as a *building*, a very second rate affair, though it is surrounded by magnificent pines and backed by a noble hill, while to its front, and, as it were, at its *feet*, (for it stands just above a sudden and deep descent) lies a *most* fair valley, studded with hamlets, which are many miles asunder, but all of which from that steep height the eye takes in.

It may, perhaps, some day, return to this subject, and mention something about the revenues attached to these temples. But just now, I must return to the ladies.

12 p. m.—Too tired to write much to night. We have had lots of fun though. On *pitching aside* my pen above, I found there was scarce time to wash my inky fingers and hasten to tiffin. This was of the best order, and there were some delicious red mullet from the Girri, which I believe were quite a treat; at least a nice little girl, whom I led to that Apician altar, the tiffin table, seemed to honour one of them with her approval.

I was agreeably surprised this afternoon, to see a cottage piano in one of the tents, and after tiffin we strolled to where they had slung a swing a short distance from the encampment." It was a smooth and level piece of ground, and was voted by "the general voice," just the very place for a waltz; though I know not how the fays and elves with whom it must be a favourite haunt, will have approved of our intrusion. And yet there were one or two ladies of our party who proved themselves *cunning* to glide along as lightly and gracefully as themselves—aye

" As if the wind, not they, did walk,
Nor prest a flower nor bowed a stalk."

The swings had been put up almost without injury to a single bough of the beautiful trees, and one feels happy to have been able to spare them. By the way, the *religio loci* has imbued these simple mountaineers with something resembling the beautiful belief that obtained in the poetic mythology of the Greeks—the belief that wood-nymphs inhabit trees.

Their faith is that all the larger and more beautiful trees are the property, and even the abode, each of some different Divinity ; and no person is suffered to fell a tree thus consecrated, without the preliminary of sacrificing a goat in honour of the God. On the oblation of such offering, permission is granted to him by the priest of the nearest temple. But the rule is that a goat be sacrificed in exchange for each tree, severally, and it always happens, as I have said, that the God has appropriated the largest* “ of the tall tree,” in other words those which are the best adapted to the purposes of domestic or other architecture.

But methinks this is quite enough about the Hamadryades in the mountains. The ladies were tempted to try the swing—it was capitally made—with a seat with back and arms at each end, united by two or three long planks, which served as foot-board ; and I am happy to say no accidents to our fair friends occurred from this noble mode of killing “ the enemy.” Others escorted, as in duty bound, by their beaux, wandered, like Dido and Æneas, to pick ferns, which these fair ladies did in the dampest places and at the imminent risk of wet feet, and its consequent disagreeables.

Well, if I were, (as sure I am not !) A mama to one or two grown marriageable girls, or girls whom I hope to find, or render, marriageable, I think I should patronize these sort of parties, whether coming under the category of pic-nic or excursion. By *me* they would always be regarded as expeditious on business, and every bachelor would be in *my* mind a Cœlebs in search of a wife ; and, like John Gilpin, “ Though on pleasure I were bent, I would have a frugal mind.” The men might be idle if they pleased. Not so would I be, or the girls ? for we should remember that “ Love in Idleness ” is by no means a rarity. And then, are external influences to go for nought ? Is there nothing in the excitement of the hour and scene ? Let us try that ! “ It is the hour of feeling.”

As for the particular hour, we will have it—“ which you please my dear,” as the showman said.

You particularly wish to “ Hail Twilight, sovereign of one peaceful hour.” Be it so ; hail her by all means, only we must make it a good way to the northward of the topics. *There* we are then ; night approaches. The moon is up, though not yet high. She has just crowned some wooded

* Shelley ; in allusion to the same idea, has some good lines in “ The Woodman and the Nightingale.” I cannot venture to quote them at length.

height;—her rays stream down on lake and valley and time-stained rock,—and gild some forest that waves beneath the new awakened breeze. The pebbles on the shore are kissed by the tiny silvery ripples of some lake or inland sea, and the islets far away into the glancing waters, as sleeping in the dim and mystic shimmer. All nature is at rest, breathing and sleeping, as though she had never known sin nor sorrow,—nor deserved them. And bright stars, stealing forth, one by one, through rosy clouds, or through the cold, clear upper sky, gaze down like gentle eyes that watch and love. Meantime some fair girl is singing or whispering to you,—or sing or whisper to her; or you both sit, rapt and silent, hand clasped in hand, while the pines sing and whisper to you both, where they spread over the brinks of the precipices far above the mossy floor you sit on; while, perhaps, the vines hang their branches down the stony walls from the pine boughs, which they cling to on the summit, and drop their tendrils—(sure to be fruitless though) into the smooth stream which traverses the spot. Couldn't you make love then and there, think you?

Or, is it night—music floats towards you from the brilliant halls you have left. You wander through some bright garden, whose flowers, though shut, whose fruits, though hidden, are emitting at once both odour and freshness; and again some stream—or let us suppose it the sea this time—yes the sea murmurs beneath the rocks at your feet, visible by its snowy foam and by the star, light; and its spray is moistening the air (the young lady wears her hair) athwart the flower-decked trellice work on which you are rash enough to lean. Then don't you make love? Oh no! Not in the least! Or it is high noon, and you sit together on some sylvan seat, or peradventure on the rich short emerald grass, where the sun chequers it with tremulous light, while the sleepy air creeps drowsily, yet to your thinking pleasantly, waving the boughs and rustling the leaves over where the small birds twitter.

The melody, the harmony, that sighs from these and from the neighbouring rill, is less sweet, less delicious, than is the thrilling *love-feeling* in lured by these blended influences and those which belong to the *sensation*—that a nice girl is leaning on you. In short the thing would do, and as a knowing mother I'd encourage it. And yet it would not do either to let a younger brother or any other sentimental chase ones daughter about in that way;—and still 'tis said those younger brothers or poorer youths are the most worthy, often, to live in a woman's eye, and be buried in a woman's heart, so after all I don't know that I *would* patronize those picnics and things! No—I don't think I'd like them!

To-night we had some waltzing after dinner, and had a few tolerable songs, after which the ladies retired rather early, and I stole away from cigars and chat, to note down the day's events.

We start to-morrow early for Phagoo, which is only a few miles distant, some six or seven. There is a miserable attempt at a traveller's bungalow at Phagoo, consisting of one room, 14 feet by 18, with a smokey chimney at one end, and a door that will not shut at the other—flanked on either side by a small window which will not open. We shall remain in our tents, and we should not halt there at all, were there any convenient spot a few miles further onward for encamping at.

Phagoo, May 6th.—This is by no means a desirable halting place, and the bungalow, besides being, as I have just said, small and incommodious, is very ill situated; and there is, moreover, no good spot near it for encamping. Talking of encampments,—we passed a gipsey camp this morning, midway between this spot and Mulasheo.

Some of the women—I could not see a pretty one among them—were combing and plaiting their elf-locks—others were making rude wicker-baskets, and one or two were cooking, but with no cauldron hanging from a tripod, such as gipsey and witches are in duty bound to “sport.” Others were weaving a rude and coarse thread from cotton, which they held in such wicker-baskets as the others were constructing; but I saw no spinning wheels, I know not how they contrived to manufacture even the wretched material I have mentioned. The women wore their hair in four or five long straight plaits, on either side, from the temple towards the back of the head, and hanging down sometimes almost to the knees. In these plaits were interwoven turquoises and other stones, probably false, for they were of an unusual size. And even the girls, children of six or seven years old, wore their hair thus, though generally without the *gems*, reminding one of the Misses Kenwick in Nicholas Nickleby; and such of the ladies as had infants, (cannot say children in *arms*) wore them at their backs regular gipsey-fashion. However, one looked in vain for a pretty young gipsey girl to tell your fortune, and bid you cross her hand with gold.

The men were doing penance in goat or horse hair shirts and soothuns—Anglice, drawers and small scull caps of the same material, with deep plaid borders. They were a hirsute, slovenly, sleepy set—lying about in the sun on coarse rags of the same—*still* the same—material as their raiment; dozing or whistling, or smoking rude hookas made out of a piece of hollow bamboo closed at the bottom, (in other words cut off just below a knot) with a wooden tube stuck midway at the usual angle, and a chillum at the top.

They were proceeding to Simla with those slow and lazy steps,—by those short and easy stages, in which such vagabonds delight. They had already halted where they were two days; idling away their time and basking and lolling beside the pine forest, and hard by a bright and dancing

rivulet—luxurious sinners—making one almost envy them their happiness in horse-hair ! As far as they had made up their minds about the route, they were in progress to Simla, where, if they don't turn off in some other direction, they will sing wild songs by the hour for money, and make collections of *afalms*, and every thing else they can lay hands on.

Their only shelter from heat, or rain, or cold, consists of layers of reeds, or bunches of brushwood bound together, and erected as a sort of tent. This they carry with them, whenever they again betake to “wander, at their own sweet will.”

The scenery from hence is very inferior to that at Muhasheo, of whose heights by the way we have a noble view ; one advantage, that, which Muhasheo itself possesses not. There is something very grand in the bold and abrupt descent, or dip, of the same ridge just below that spot, and before it takes that rounded and softened outline by which it is characterized further in the distance. The buff and jagged heights as Muhasheo (or Muhasheo) are covered with dark masses of what we know to be enormous pines,—but pines whose bustling stems resemble saplings ; so dwarfed and diminished are they by comparison with the splendid mountain on which they stand.

Between them and us intervene three ridges (or “reaches”) of hill, around whose bays and promontories, so to speak, the road winds until it gradually sinks into the valley, from whence, again, it ascends hitherward. From hence you get glimpses of so much of it as we lately travelled over ; when it winds for miles, now hidden by the shoulder of some hill, anon re-opening at some remoter spot, (dotted with figures of men and mules that look like ants—creeping along and seeming almost intooless ;) and then again seen—diminished to a thread, just before it winds over the opposite side of the chain of hills that exclude the view of Simla. The heights betwixt this and Muhasoo are covered from their summits to midway down with oak and pine, and thence stretching far below the road in slopes of stunted fir and rhododendron, occasionally varied by patches of cultivation growing layer above layer ; sheets of bare, black soil or black rock (I know not which) far down in the valleys, and here, in immediate contrast with a rich green hill, whole sheets of dry and yellow grass.

Above us to the front of the house (supposing its one door to be in front) a hill remotely connected, as one says of country cousins,—with that of Muhasoo, excludes, by its propinquity rather than its height, all prospect to the East and South-Eastward directions, in other words, all view of the plains in the distance of Subathoo midway, and of Simla and its neighbourhood, nearer ; all which components of one splendid scene were visible from near our encampment yesterday ; and even when the

eye, disappointed in *that* direction, turned from it, and sought to rest upon the snowy range which was yesterday so clearly visible, in this too was it comparatively disappointed; for nearer hills had intervened and partially shut them out. Some of us this afternoon took our guns and bent our steps in the direction of some dense wood at the foot of the steep descent about two kos from hence. We only shot a few chikore and jungle cocks; and *one* hen munal, an unfortunate that had gone astray from the cold and pure regions up above—(the habitat of her companions,) and had, therefore, like Goldsmith's lovely woman, when she "stoops to folly," nothing left her but to die! But though the sport was poor enough, the prospect was fine for that close sort of country, and worth going twice as far to view, especially before dinner.

Some of our party who professed to know—

"Where the wild wood waves the greenest,
Where the May dew glistens shcenest,
Where the young fawn lightest trips it,
Where the black cock sweetest sips it,"

had bade us "Hie away, hie away, over bank and over brae," till at length, if we did not find many black cocks, or jungle cocks either, we did find, as I have said, very wild and beautiful forest, aye, and mountain scenery.

We were nearly at the foot of one of the Muhasoo hills; still toiling amidst the interwoven boughs of one section of that vast forest, which on the further side of the valley was spreading and stretching upwards, over another range of hills, and diverging over a tract of wild but beautiful country, that probably no European has ever, to any distance, penetrated.

For my part, though I had knocked over a bird or two, I almost forgot that I had sallied forth with the intention of shooting, and the gun now, at best, supplied but an excuse for further exploring those silent and secret regions, over which our sport, such as it was, conducted us.

The young oak leaves were expanding,—the wild roses were bursting their green prison,—and bird and bee, and butterfly were on the wing, dallying beneath the tall pines in a breeze, so cool, so bracing, so delicious, as to make one almost doubt whether there was indeed a hot-wind blowing but few thousand feet below us, and whether one must indeed go down to it at muster.

Further and deeper still we penetrated those wilds of pine and hill; but, this time, chiefly with the hope of reaching some little stream. This at length we did; and as the miniature waterfall leaped along the rocks whose dark sides (impenetrable for the most part to sunlight,) were covered with an endless variety of ferns, we drank, leaning on our palms,

and with faces bent down into the stream, a draught of the cool, bright, limped element, more delicious than can will be conceived. It was nectar!

The stress upon the muscles of the leg in stepping briskly to that depth all the way from Phagoo was no joke; and I am sure I don't know how I should have got all the way up again by dinner hour, had it been necessary to play the mountaineer once more on foot. But my friends had their shaggy little ponies in attendance, and I found that I beat them all up hill, on my Arab; though the syce had had some difficulty in leading him safely down it.

We reached the tents so late that there was hardly time to dress before dinner was announced; and I believe we did it justice nearly as ample as itself--(as certain empty dishes testified,) though the ladies *did* rally us on our ill success as game-keepers to the party. We broke up early, and I have again stolen an hour from sleep, to scribble a page of rubbish.

May 7th.—We have pitched our tents on a *mydan*, a little beyond the fort of Theeong, from whence we sent on bunnees for the benefit of all "Camp followers."

Theeong is an inconsiderable place, affording no accommodation to the European traveller; so we did not linger there, and as our tents are in the sun, and the sun turns on us anything but a cool look even at this elevation, the ladies have had tables put in a shady place, and are sitting out "*al fresco*." It is any thing but a pleasant spot for an encampment, nevertheless. The hills around are bare and bleak, and there are no temptations to stir from the spot; no "shady walks for whispering lovers made,"---no picturesque scenes for the sketcher,---no fishing for the angler,---no shooting,---no botanizing,---no anything to tempt you from your "seat beneath the shade," unless you felt inclined to sally forth with hammer and pickaxe to pound pebbles and knock at the door of every mountain for information about felspar, floetz, cinnabar and chalcidony.

There are, however, a few eagles wheeling about far over head, but enough for one to get a shot at them if one were only on the summit of one of the neighbouring hills. After tiffin I shall try my luck, though it does seem some what ungallant to *aband on a post* where pretty women

"Do make a sunshine in a shady place,"

even in the shady place they are sitting in.

Ten at night. This afternoon P. and I got a few *puharees* to guide us to the top of one of the hills, "hard by," which seemed to be a favorite resort of the eagles. It was a stiff pull up, and we had to dismount, twice

though to-day we were both mounted upon "*tanguns* which are tolerably sure-footed. It would have been no joke to become giddy there ; as it was, I could not choose, but envy the practised agility with which my friend P. followed and sometimes even led the mountaineers, up that steep hill side ; nay, but for pure shame I do believe, at one spot where we had to walk along a foot path, certainly not more than a foot wide, and immediately above a succession of perpendicular crags, and without a single shrub at hand to catch at if one *had* felt impelled to "topple down headmost"—at that spot I must say I felt an almost irresistible inclination to be led, literally led by the hand. However, by keeping as close as I well could to a sturdy nigger, who was just before me, so as to be able to make a "grab," at him if I felt myself grow *dizzy* ; and by resolutely abstaining from fathoming the depths below us with my eye, I soon found myself where it was once more plain sailing, and here there was no danger, fathoming those depths with one's body—"In due course" we had crowned the height ; and we were presently on the look out at the very summit of the hill, partially hidden by some struggling pines, for the eagles that were still apparently as far from us as ever. However, at length when it had grown later, and we had almost made up our minds to return *quite desponding*, they lowered their flight, as if with the intention of settling for the night. We each got a shot at our bird almost at the same moment. P. knocked one over, and it dropped—plump—but unluckily it fell on the steep hill side that we had just been ascending, and we saw the lifeless mass roll "tail over tip" leaping from point to point till at length it lay hidden from view in the impenetrable shadows of the valley—"a thousand, thousand fathoms deep."

The poor fellow that I had hit was only winged ; and though he fell upon the more level ground about us we were near losing him too, for he half hopped, half flew away on one wing, and had he not rolled over on his back just before he reached the edge of the declivity, he would have gone

* "Sounding on his dim and perilous away,"

to the bottom of the *khud*, like his comrade.

He proved to be a very large golden eagle, and a noble looking fellow he is ! Strong and fierce, and fearless, as an eagle *should* be ; *darting at every body who approaches him* ; and with

— "An eye
Radiant and glorious as King-bird's gaze,
When spars he through his kingdoms of the sky
To quaff the nectar of morn's dewy rays,"

as that very unequal writer M. S. S. has it.

I hope he may live---(that's the Eagle)---and become a veritable "Chained Eagle"---without the sentiment. Perhaps he may get fat upon a sedentary life when his wing heals. A fat Eagle!--Oh Jupiter!

It was rather dangerous work and difficult, returning by the path by which we had ascended; but down we got at last safe and sound, and on reaching the *terra firma* of the high road we met I know not how many of the ladies and their most especial beaux. My poor Eagle animated all their power of talk, which was developed accordingly with marvellous luxuriance, and in short I never saw fair dames and demoiselles in whom the relish for conversation could ever have been keener. P. and I, however, half ashamed of being seen with them in our soiled garments, soon turned back and hastened home. As we trudged along there was a fine tinge of solemnity in the already deepening shadows of the valleys, with their tokens of darkness not coming on suddenly nor from one point, but gradually spreading and diminishing the scene, as coming age over-shadows the human face. The trees on the hill tops---(there were few or one about us) grew in distinct even against the golden twilight sky, and whole villages, save for the new-kindled lights within the houses, were blotted out; and here and there a rock upon some hill-top looked like a castle---while over-head hung the pale blue sky, were already becoming studded with

"Cold bright stars bursting their azure prison,"

till at length the heavens melted into the true and starlight blue, the blue of heaven, which they did, just as we sung out to our bearers--OH BATHOS--for Hath dhone ka panee.

May 8th. Muttiana Bungalow---about 14½ miles from Phagoo or Phagoon, but I suppose only 7 from our encampment of yesterday beside the Eagle's Cliff. I was going to say a word or two about the bungalow, but talking about the "Cliff" sends me off in a tangent, and reminds me of my poor victim, whom I would give much to see once more whole and able to fly. I am sure I would not detain him; at least---no I am *sure* I would not, for he refuses all sustenance, and though his mouth is open and parched he will not even drink water, though I think he seems refreshed too when it is unexpectedly poured into his upturned beak. It is evident he has not been at all seriously wounded; for there is not a single shot wound to be seen all over his body, or any where except in his left wing, and even there they are almost all in one spot. I had him tied by a long string to a tent of my shouldaree last night; and about one this morning chancing to awake. I could not resist the inclination to get up and see how it fared with him.

He was crouched up close together with his broken wing drooping and his parched mouth still open and up turned; and his eyes, those fierce,

will, devilish eyes, gazing and glaring at the starlight, and as I watched him, I could not help recalling those splendid lines of Shelley, "On the Medusa of Leonardo da Vinci"—beginning.

"It feth gazing on the midnight sky,
Upon the cloudy mountain peak supine

* * *
* * *

Ferv and lurid, struggling underneath
The agonies of anguish and of death."

And had I been journeying alone instead of in so large a party, I should have taken out my gun and have given him his quietus. When ever I approached him, which I did more than once, to pour water into his mouth, and to watch his bright and wild eyes. He seemed to know that I had done him that grievous wrong by which he was prostrated, for he struck at me with his one still powerful wing and with his beak, and looked like an incarnate devil with an aquiline nose.

I have been *pilaoing* him today with mutton broth; but he will not eat any thing—I don't suppose he swallows more than a few drops of the liquid;—which, by the way, is poured down his eternally open mouth when he least expects it;—just as we did with the water.

But to the bungalow and the "location."

This Muteeana bungalow consists of a centre room of moderate dimensions and of two or three smaller side rooms. It must be a comfortless place in bad weather standing as it does upon a bleak point exposed to every wind that blows. It is at all events a lonely and deserted looking place, except by the way just around the shop of the solitary banneea, who retails ata, chubenee, goor and tobacco, to an endless succession of coolies journeying laden with Khultas full of unwrought iron, or of borax, from Kotgurh and Koth Kharee to Simla.

We started before the "morning rednesse," and we passed many lovely spot, though, *on the whole*, perhaps, the scenery was not as fine as that nearer Simla. It was also very inferior to what we have a right to expect to-morrow and for the next few days. And yet there was one spot that I shall never forget. A mountain torrent somewhat shrunken in truth, but still very lovely, leapt, all white and sparkling, from the very summit of a perpendicular rock, (an immense distance above us,) On the very edge of which, blue and hazy from their extreme height, stood a mass of what were evidently tall pines: it rushed with inconceivable rapidity down the side of that bare and precipitous hill; bursting and scattering its "star-

showers" ever and an on over some projecting crag, only to reunite them in a yet more rapid through somewhat diminished body, in the narrow trench which they had cut between two adjacent hills. A small bridge, which, however, appears as though it were but a continuation of the road, provides an arched passage for this "little fury," (as one of the ladies not inappositely termed it,) through which the greater part of its waters shoots with arrowy speed, towards the deep valley that lies far below the road, while an inconsiderable portion remains to keep a small stone reservoir, which is shrouded with ferns, constantly full to overflowing. I alighted and drank of it, from my hand; somewhat to the amusement of my fair fellow-travellers. It was deliciously clear and cold, however, this same "pure element of waters," and if

"Upon the slimy footstone I had spied"

either an iron cup or any other drinking utensil, belonging to the "baolee," to me, at least, it would have been valueless as

"The useless fragment of a wooden bowl,
Green with the moss of years,"

of which Wordsworth in the *Excursion* speaks so eloquently.

There is an air of solitude and of what the Germans would call "far-away-into-the-desert-ness," about this place, that I like; though I am not sure that I should like it quite so well if I were here *alone*, and if the day were a rainy one. By the way there is a hill hard by, with two peaks; "*bifurcus*" like Parnassus itself. And now what do we do with ourselves? Do we stroll again to some romantic nook, some antique stream, some mossy shrine where river-gods might love to lie; and silence and the owls *fancy* themselves secure from all attempt to "molest their ancient solitary reign?" Do we sally forth, *bodily*, to such retreat, and affright alike silence, the river-gods, and the owls, from watching "the white feet of the hours" as glide they faster than the stream itself, that cheers the faint heart of the tree and wakes the eyelids of the flower? No, we go to look at some cabbage gardens, an attempt to rival those at Phagoo, which provide for the demands of the Simla market. We learn to be critical in cauliflowers, *curious* in them we *must* be, else why go a mile out of our way to visit *that* flower? One wants an object; *voilà tout!* just as Byron and many another has wanted a subject—or, as he calls it, a hero, by way of nucleus, to his good things around. And really the potatoes, and carrots, cauliflowers and cabbages, not to speak of lettuces, broad beans and endive, *have* a mighty refreshing and English look with them! And the malee, from Phagoo, the proprietor of this thriving young nursery, an intelligent, civil spoken fellow, without dreaming of such a solecism as proffering them

first to the gentlemen—(isn't civilization progressing either) presents superb bouquets of clove-gilliflower, pinks, double stocks, and carnations to the ladies of the party. His strawberries are good, but there are but few of them, so we have promised to eat strawberries and cream on our way back at his Phagoo garden, when dainty summer bowers and arborets are made, cut out of the bushy thickets for coolness of the shade.* It seems he is here only on a *spec*, and by way of supplying such cockney tourists as ourselves at this spot, Nagkandha and Kotgurh, with dalees. He says the scheme is tolerably profitable, and so I should imagine it must be, considering what shoals of people do make these trips; and of course, one is willing to pay him very handsomely for a *fresh* dalee out *here*. We are going to have a fire made in the bungalow this evening, and to dine in it; that's *in the bungalow*, and only *near* the fire.

It is—

"Now tenantless save to the cranny'ing wind,
And holding dark communion with the cloud;"

but as both wind and cloud portend a storm, I am inclined to think the ladies will have to remain in the bungalow for the night.

My poor eagle! I shot him this afternoon. He would not eat!

May 8th.—Nagkhunda,—There was, (as not I, but the weatherwise predicted,) a storm last night; and the force with which the wind eddied round the lonely and unsheltered house, seemed to threaten us every instant with a hurl to the bottom of some neighbouring khud, and the thunder and lightning were louder and more vivid respectively than any I ever before witnessed. I am certain the thunder must have been in one of those dense clouds that hung immediately around us and either that or its *echo*,—the heavens doubtless know which, frequently resounded from numberless points below the Nook we occupied. The harsh, angry booming of that thunder I never shall forget; and when "the flood gates of the heavens were opened," in what torrents the rain descended! Methinks it would have penetrated a Noah's Ark. At all events it found its way into that small bungalow; though not, "I am free to confess," to any serious extent. We had only sprung a leak here and there in the verandah rooms. Round the fire it was comfortable enough, sipping mulled port and squeezing a pretty girl's hand or slender waist, in the "*sudden pressure*," as some peal more terrific, or some puff of smoke more *voluminous*, than the rest, brought the tears into her dove-like eyes. These "gentle ladies making piteous moan," they were induced by a mingled feeling,

"'Twas partly love and partly fear,"

and partly—hang me if I know what it partly was, perhaps it was a hope that *we* pigmies should be able to protect them from the pitiless storm!

but at all events they were induced by *some* benignant spirit to put a veto on our making rush for our tents, somewhere about half past eleven o'clock. And in truth I do not think they very well could have consented to our departure at that hour, for it was past midnight, before the storm abated, so as to enable us to flee away and be at rest, without getting wet through, *en route* to our canvass dormitories.

The shoodaree in which I was to sleep had become, need I say, wet through; and it had a horridly close smell about it, such as I presume must have belonged to Mantaliui's mangling cell.

Nearly all the larger tents were blown, and several beds were, as a matter of course, most completely soaked. I pitied their owners, poor devils! I would have given up my bed to any one of them had they been ladies; but I was glad to learn that care had been taken before the storm came on, to stow away *their* cots in one of the verandah rooms.

This morning all things, even the more bare and barren among the hills, were looking fresh and verdant; and, after we passed Marne Koth, the mountains over whose sides our route conducted us, were covered with daisies, butter-cups and purple anemones. Marne Koth is a high spot, where some people make a halt, nearly midway between Muteeana and Nagkhanda; but there is no shade about it, and the best plan, I think, is the one we pursued of proceeding hither at once. This bungalow is a very good one. It consists of three good sized rooms besides verandahs. The snowy range stands immediately before us; and from my recollection of it — aided by some sketches which I formerly took upon the spot, we shall have, indeed a treat whenever it may please their cragships to unveil. Just now, I am sorry to observe, that they are enveloped in what looks very like another storm brewing.

The weather is excessively cold here, and I suppose we shall be half frozen to-night. Ah! Breakfast? Good! We all seem ready for it! 11 forenoon. That social repast, as poor L. E. called it, is at length over, and as snow and sleet are falling fast outside, I resume my scribble. A number of the better sort of houses between this and Muteeana exhibited a marked improvement in domestic architecture, when compared with that style of it which prevails nearer Simla.

The walls of the houses in this neighbourhood are all plastered with a yellow ochre or a bitious looking whitewash, which is applied inside, I understand, as well as externally. The walls are precisely similar to those of the places of worship, which latter I have elsewhere described, and their roofs are, like those of the temples, never flat and always constructed of deal shingles or of mica slate, though here the last is not abundant. Most of the houses in this vicinity are at least three stories high.

The ground floor is always appropriated to the cattle ; the second is applied as a depositary for grain ; and in the upper the family,—in all the horrors of polyandria, reside. Above all is a garret in which fuel is kept, and a balcony either open or enclosed encompasses the upper story. This “tung,” as it is called, or balakannah, as it is not called, seems to be some four feet in width ; and when it is enclosed, square apertures afford it light on all sides. The upper apartment, and each story, consists of but one room. Whether the house be of two, three, or four stories, always contains a fire place,—square and made of slate stones, and having, if it be intended, as it generally is, for culinary purposes as well as for warmth, a mud choolha attached to it, with circular cavities, or if you like, round holes for the reception of cooking utensils. If the roof of the dwelling be slated, a slab or two are removed from it for the passage of the smoke ; and its egress is secured, though but partially secured, by one or two planks being made to shift on and off at pleasure, if the roof be of shingle.

The stories above the ground floor are always planked, though they are not unavoidably secured with nails. Sometimes a series of houses are built in conjunction ; in which event one same tung or balcony embraces them all. In the houses of the few individuals whose means are considerable, balconies are attached to all the upper stories, and of such tenements, the interior apartments are of course comparatively neat and commodious. But the common order of dwellings are fearfully miserable and dirty, though dirt in these parts is by no means held to be inseparable from misery.

The rooms in the dwellings of the chiefs or thakoors are not unfrequently spacious, and save in the particular of height, in which they rarely exceed six feet between the beams,—well proportioned. The beams of the way, are invariably disposed flat wise, in other words with their utmost width and not their utmost thickness, subtending the roof, whose weight is often considerable and is deposited upon them to an unnecessary and even dangerous extent. The internal communication between the several stories is accomplished by the medium of trap-doors and ladders, which latter consist simply of a single thick plank (often triangular) in which notches have been cut. The kalees and other low caste and indigent classes dwell in miserable hovels, made of rude stones and scantily thatched with rushes, or hay or dry leaves. In Rampoor, the capital of Bussalier, the houses on the banks of the Sulej are slated ; but in all other quarters near the bed of that river they are roofed with shingle.

This is the only district in which slate is generally used in roofing.

In saying this I refer to the sections more immediately in our own neighbourhood ;—for in Koomharsen and among the Tartars and Thibotians

the mode of building is materially different. Among these, the houses, though built of stone, consist of but one or at the most two stories and have flat roofs covered with mud and gravel which material is spread upon a layer of the bark of the birch tree. The Rana's granaries are commonly the most striking buildings in the Koomharsen quarter ; — they are nearly as lofty and spacious, though not by any means nearly as ugly, as the gola at Patua.

In Sindoch and Thibet the houses have generally two stories, and these flat and gable-ended roofs alike prevail. In the lower hills, stone walls are used, but with mud instead of wood for the building. In those parts the thatched roof is not uncommon though it is wrought with but little skill or care. At Bilaspoor and Unkee, however, the neatness of many of the thatched roof reminds one of the style of roofing common about Calcutta.

Again, in the hills nearer to Cabool, the houses are white washed, or coloured with reddish earth, that would bespeak a higher degree of civilization and, its concomitant, comfort, that do in fact exist in those wild regions.

But there is the sun out ! and methinks we have had enough of single roofs and thaches and mica slates to incline a man for a glass of port and a troll when “ a fair girl is near him.”

The house stands on the northern side of a high and steep hill, which is covered with a variety of English wild flowers. Just before and below the house, there is a small clump of low huts, occupied chiefly by bunneas, who carry on a brisk trade with the numerous travellers journeying from Rumpoor and Kotgurh to Simla, or from thence back to those points ; all of whom necessarily pass by the route of this ghat or Kandha. Kotgurh lies on gentle slop considerably below this ghat.

The mountains of the snowy range are still almost enveloped in mist and snow-clouds ; but here and there some bald and naked crag of “ unsunned snow” looms out from that shadowy “ Cloudland.”

Sometimes in steep places, mounting our ponies, but oftener walking, most of the ladies, and I believe, all the men of our party, pursued a narrow path now over-hanging now overhung by rocks, with splendid clumps of horse chesnut trees starting from the crevices ;—interspersed with ash and a kind of bastard poplar, mostly decayed and covered with moss, and many of which were fallen. We rested occasionally listening to the roar of a water fall (a sort of ephemeron, produced by the recent storms, which the wood concealed. The dry, or rather the damp but withered leaves chased each other down the steeps

with hollow rustlings, while the solemn wave of the forest above, and the muffled muttering of thunder in the snowy fastnesses before us, combined to depress one's spirits most fearful.

With one accord, therefore, we retraced our steps, and chose a wider path, over which the ladies might go "the pace that kills" without *literally* hazarding either their own lives on those of their "*palfreys*."

The cold was peircing, but setting that at defiance we galloped on, and entered a vast amphitheatre of gentle slopes, surrounded by thick woods beautifully green. This was besides, the more circuitous of the routes from the Wagkandha Pass to Kotgurh.

The steep cliffs and mountains which guard this fair slope are clothed with ash and pine to their very summits, and on the slope itself whose smoothness and verdure (save where red *Ba'hoo* had been sown) equal old England's pastures were dispersed large flocks of cows and sheep. We had taken the precaution of ordering a *Khilta* or two of refreshments to be taken after us, accompanied by some of the table servants, with orders not to halt till they should meet us; and on our return we fell in with them, beside a grove of ash trees, and chesnut five miles from hence. The bracing air, the gallop, and the Sylvan pleasures of the pic nic combined to render our appetites *keenly* alive to the excellence of all sorts of delicious pastees and other cold creature comforts—cold champagne among the rest,—which those who have the management of this department have been very zealous in providing. After more, rather than less, than an hour's enjoyment of all sorts of *good things intellectual* as well as material—we resumed our stroll homewards diverging from the road now to examine some quaint old ruin—

"Some ruin wild and hoary"—

now to mark from some sudden break in the rock or wood, beside the road—a peculiar effect of sunlight on rock or valley; again to creep perhaps into some temple or some cavern or subterraneous chamber, only not in couplets as

"*Speluncam Dido, Duxet Trojans eandem Devenient;*"

and anon to gather some new and rare variety of fern, or ---God knows what, any thing one felt inclined to do. Thus lingering on the road, we did not regain the bungalow untill the sun had set. The evening had by that time become chill, and the winds boisterous; and we were by no means sorry to find a blazing fire, and the dinner table spread very comfortable before it.

May 10th.—It was late before we retired last night, and I was half starved to death with the intolerable cold, outside in my tent. However, I suppose most of the gentlemen suffered to the same extent, and from the same cause; except, by the same token, Mr. *Dash*, who, “by virtue of his oath” or vow or whatever it is, at the Hymeneal Altar, got snugly housed in one of the side rooms, into which he gained admittance through the petticoat interest of—his lady. I know nothing about these things, but I presume they had the room all to themselves; though where the rest of the ladies could have bestowed themselves in so small a space as remained to them I know not. Probably they closed the doors and appropriated the sitting room as a “supplementary” dormitory, after we had quitted it for the evening.

All I know is, I wish *myself* any where but where I was—so cold and comfortless, with the wind blowing in all round my cap—aye cap! ’tis an integument, I had not worn since I left off childish things, but methought that rather than wake with one’s brain *iced*, it were better to spoil one’s curls,—to mar “the pleasant mazers of one’s hair,” (as Cowley has it,) and stand the chance of an infernal feather;—by no means a thing to plume oneself upon. So a night cap I certainly did wear. We are to start immediately for the neighbouring heights of Huttoo, a fine commanding hill of some twelve thousand feet high. Monticola says only ten thousand six hundred and seventy three, but I don’t think he knows any thing about it.

Every cloud was dispersed when I arose at day-break, and the purity and transparency of the air added new charms to the magnificent scenery around. The valley’s at my feet and the Himalayas with their eternal snows, towering, a mighty amphitheatre beyond and how far above them, shone out with a beauty that could not be surpassed. Presently the sun arose and tinged the higher peaks—so cold, sad and awful ere his uprise—with rose tints such as might have lighted up an Angel’s face as she bowed before the shadow of the veiled eternal. Alas! it is madness—or rather foolishness—to strive to embody the emotions suggested by such an hour and scene.

11 at night.—We set forth for Huttoo about six, which at this height,—even at this season,—is abundantly early for so short an excursion; for one cannot sit in the shade for half an hour without hastening either to the fire or into the sunshine.

The ascent from hence to Huttoo was here and there excessively steep, and the road had been broken up into deep trenches, by the rain. It was fortunate, therefore, that those ladies who generally rode had betaken themselves to their jampaus.

The hill was "fresh with all its green" and there was just such a crystal clearness in the air as Leigh Hunt, if I remember rightly, describes as investing old Ravenna's towers and bay, and the heavy dew upon the grass, and the leaves sparkled in the slant sun beams.

The prospect momentarily increased in grandeur; and presently we saw Nagkundha, which had previously appeared so high, lying far away below us;—and as we mounted yet higher, the tall hill on which it stood appeared to decrease in elevation till we could see quite over it, where a succession of hills floated away to what seemed an *immeasurable* distance behind its "diminished head."

The road, steep always, sometimes almost precipitous (though, by the way, *that* in *strict* parlance means the same! was shaded on either side by fine masses of pine, oak, walnut, ash, willow and horse-chestnut, interspersed with lesser trees—the rhododendron, the wild pear and the alder with its bright green leaves, and the elder with its brilliant berries, and the withey, as it grows at home, *beside* it. One observed also a variety of wild flowers not to be found at Simla; and several common to both elevations, were at Huttoo putting forth their earliest leaves, though we had left them flowering or perhaps going out at Simla.

At length we had crowned the summit of that hill, far finer I am sure "than the Brocken's Sooran height." We stood upon a spot from which for leagues and leagues around, the picture could not have been more superb, as a delineation of craggy regions and chaotic wilds.

The blue and cold plains—Heaven knows they were hot enough when I left them—well, then, the blue and cloud-like plains were visible far away through the transparent air, and through them flowed the Sutleg in misty golden vapours, winding and glancing, seemingly more a denizen of the far off heaven than "ought that the earth owns." And there hung "the unviolated woods of many an age, and beneath them slumbered each lovely vale; deep, dark, unfathomable, but with the slopes that led to them covered with flowers and sunshine, that conjured up a host of quaint moralities!

On another side the snowy range appeared to be but a few miles distant. Its mountains seemed as though but a hill or two stood between us and their base. And yet they were towering as high as ever above us—even as the clouds and the sun do—as though in very scorn of our added elevation. Those peaks, how beautiful they looked, yet how stern in their beauty, and meet to be the habitations of silence and sublimity instead of the despicable, grovelling, sensual divinities with whom the Hindoo Methelogy has filled them.

How beautiful ye are, ye glorious steep
 That rear for ever in the silent skies,
 Your pinacles of snow, immaculate
 As at the death of Chaos! Silence sleeps
 For ever mid the lovely mysteries
 Of your embrace. And Time shall never date
 The epoch of your parting! That dread task
 Is fated for Eternity, when Time
 Himself lies perished! ye awful forms---

Awful for ever, whether sunlight bask,
 Brighten'd on your fair bosoms, or the rim
 Of winter compass ye with all your storms.
 Lo! as we gaze your glorious spirit rests
 ---As erst God's spirit o'er the waters fell,
 O'er all the lesser pinnacles, that show,
 From this dread height, as slight as glancing crests,
 Of ripples on some shelter'd bay that swell -
 Mark where the eagle sweeps! how far below
 Your peaks his proudest soaring! ev'n his scream
 Mounts not so high; nor any sound of life--
 Save only when the far-off avalanche
 Telleth, *thou livest*; or the lightning glance
 From you remotest snow cloud warns that strife
 And tempest are your visitants, and blanch
 Ev'n the serenest bosom of ye all
 That ever slept in moonshine--messengers
 That do his work who ever worketh well!

There are the ruins of an old fort on the top of Huttoo. And in this, or these, I am told some people manage to pass the day, voting tents at Huttoo a superfluous luxury! All I can say is, I should be sorry to *pic nic* with such rigid economists. The miserable fragments are overgrown with weeds, and are only the meet abodes of the damp and discomfort, and the damp moist uncomfortable bodies of lizards, which frequent them; and yet 'tis said, upon the best authority, that a party of Cockney Tourists lately passed not only a day, but two nights here--half starved to death though they were on the second night; when, to pay them off for their folly in making a penance of a pleasure, they were drenched to the skin by a mountain storm; and one of the party got stung by a scorpion. Our tents were pitched--the few that we had sent up, within a short distance of that same Fort, and sufficiently near the ditch that surrounds it, which is full of snow, six feet deep and more, in the shady parts--to admit of our throwing snow balls at each other, which we did accordingly, enjoying the fun like very school boys!

There is an extensive level upon the summit of the hill a long ridge almost a table land, except that it does not extend further than about a mile and a half, ere again it sinks into broken declivities. After breakfast the ladies took up--some their sketch books, others the "*Les Graces Sticks*," just the very place for *Les Graces*--the top of Huttoo, and

some tried their hands at hotanizing for a hortus siccus in the "form and pressure" of a great big book of ferns, while one played chess under a chesnut tree, with a Knight who begun by descanting learnedly on the relative merits of the Evan's opening and Mazio's gambit, and ended by losing games that he had begun severally with either opening.

For my part, with net in hand, and enlisted under the banners of a pretty girl whose appropriate amusement it was, to transfix unhappy butterflies, I accompanied my fair mistress over a thousand beautiful and sylvan spots that probably but for her researches I should never have beheld. They are spots, however, that once seen can never be forgotten, can never cease to enrich the spirit with treasured because beautiful recollections, both of the scenes themselves and of the rapturous feelings which such a picture as was now before us must needs produce. Tired with our exertions, our captures amounted to a "net" *tottle* of five butterflies. We seated ourselves on the very edge of a rocky cornice, whence we surveyed the vast reach of the scenery below us, the course of the Sutlej flowing at our feet towards its awful sanctuary, the almost impenetrable solitudes of the higher Himalayas; the deserts of pine forests, mantling and darkening a thousand mountains till they looked gloomy even in sunshine; and a myriad of gandy hills, clad in more cheerful colouring, azure in distance, or bright emerald green or spotted with rich mellow autumnal tints, of walnut and ash and chesnut, "in the fall of the least."

"A sea of foliage tossing with the gale."

and here and there each hill side, "with hamlets sprinkled over," hamlets that dapple the sides often of the steepest hills, and that appear as though with *any* storm they must needs topple down to the valleys and the torrents that they overlook; and the patches of cultivation wide and narrow, step above step, upon the mountains' side; and on one hand and just above the Suttlej the snowy range, now bright as any angel's brow, now rising in deadly paleness, backed by a gloomy sky.

Nothing could form a stronger contrast to the verdant and sunny hills in front of Huttoo, than that "chaos of snowy peaks and melancholy deserts," the loftiest in the world, held up in the air, and beaten, in spite of summer, with wintry storms.

It reminded me of what Rousseau says in his *Nouveau Eloise*—I wish I had the work to quote from. I am thinking of some of his fine descriptions of the Swiss Alps—where he says—after describing them with inimitable truth and beauty. “Here all climates are contemporaneous,”^{av} but *I cannot* venture to quote *him* from memory!

5. Location

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A TRIP TO SIMLA &c.

Continued from our last

And Wordsworth, too,—it reminded me of him, and I found myself involuntarily spouting out “ore rotundo” to my pretty friend—

“ And from that arch, down looking on the vale,
The aspect I behold of every zone,
A sea of foliage tossing with the vale
Blythe Autumn’s purple crown, and winter’s icy mail.”

and a great deal more that is very beautiful, but for which the gentle reader is referred to the poet’s (very) original tomes.

I know not how long we should have remained examining the prospect, had not the young lady suddenly bethought her that it was growing late. I can truly say, “I should never have thought of such a thing.” However, I had nothing for it but to obey, and to thank my stars that I had been spared a good deal of luckadastical loitering among the friends we had left behind us; and friends whom we presently rejoined. We sauntered pleasantly and chattily along, pausing every now and then to note some picturesque groups of hills, valleys and cottages, and was delighted to make my fair companion’s transports as some grand effect of light and shade obeyed the movements of the clouds. About half past three we reached the tents, the tiffin had not been laid within them; but under the deep cool shade of a host of gigantic walnut trees. While they are refreshing, I must take you, gentle reader, to the edge of yonder promontory, overlooking a mighty expanse of which all the bosom scenery (if I may be allowed the expression) is highly cultivated and richly productive. Take out your cheroot if you like; but, at all events—list, oh list!

And now for some heavy — I can’t help it, I must do it—it is an unpleasant duty, but it must be *levied*, as said my father the exciseman. Yes, I’ve got to talk about rice and ever so many things; and the sooner you begin you know the sooner it’s over. My subject matter is suggested by those fine fields of paddy, about twelve thousand feet below us yonder, beside the Sutledj. But before considering the production itself, I will briefly describe the usual process of collecting it. It is reaped then, oh reader, with a sickle “describing” three fourths of a circle and of a shape so picturesque and withal primitive, as to recall the representations of that implement in the sculptural paintings of Carlo Dolci and Old Palma.

In reaping, the hill people select the ripest spots in a field, cutting down masses as they ripen; a system, if one may so denominate that which is so little systematic, that would appear sufficiently strange in the eyes of an English farmer. All grains are winnowed in the open air and by the action of the wind as in the plains; they are afterwards stowed away in large wooden chests, called kootars, in the higher ranges; and in the lower hills are deposited in immense baskets, called Paheree, constructed of reeds, and of a tough indigenous reed-bamboo called Nigal. These baskets are besmeared inside and out with cowdung and clay, previously to being used. They always occupy the second story of a house; and the grain is carried to these receptacles either in kiltas or in the untanned skins of animals—skins resembling bheestee's mushuks, only with the hair on; and at the season of "harvest home," it is by no means unusual to see the family of a Zumeendar of substantial means. Young people of little sex who are at other seasons unused to labour, carrying large kiltas full of grain, and apparently vying with each who can carry most.

The due rotation of crops appears to be but little understood by these rude people, and they are not guided in the order of succession of their sowings by considerations of what is most seasonable, so much as by a recollection of the usage handed down by by-gone generations. The several descriptions of wheat are always sown before both the common barley and the "celestial barley," ooa jow—which are both sown simultaneously. The celestial barley, a superior description of the grain, whose description is probably derived from the title of the Chinese Empire, whence it was obtained, was introduced many centuries back into the lands on the Indian side of the Himalaya, from Kunawur, from China, and from Thibet—that description of it produced at Cotgurh is of a finer quality, than any cultivated from the same seed, at the village-land between Simla and Soobathoo.

It is worthy of remark, that at these elevations wheat cultivations require at least two ploughings, one as a preparative for the reception of the grain, and a second after the seed has been deposited.

It is then beaten and flattened down with a wide and heavy board called a thal. The lands about Kotgurh are both ploughed and flattened twice.

In December, January, and February the manuring process goes on. It is essential, that the young plant, when only a few inches high, should be copiously manured; and the long stubble which is left after every reaping acts likewise beneficially as compost. Barley is left in the sun for seven or eight days to dry, and hardens after it has been reaped, sub-

sequently, (if in quantities too considerable for deposit in the dwelling of its owner,) it is stored in circular pits about two feet deep, and walled in and paved. In these magazines it is laid by while still scarcely ripe, to be trodden out at leisure. The exposure to the sun immediately after it has been reaped, is found effectually to abstract that moisture which would otherwise infallibly decay it.

Wheat, on the other hand, is always full ripe before it is reaped; and it is, consequently, never left, as barley is, to dry in the fields.

It ripens about the time when the rains set in, and it is generally heaped in the tung or verandah, till the close of that season.

For a coarse grain called bathoo, which abounds in these hills, (and whose leaves are deep autumnal red,) the fields are only ploughed once if it be sown in succession to wheat or barley; but such is the poverty of the land, that if the ground be fallow, it must be ploughed twice, however hardy or prolific the seed it is destined to receive.

Rice-fields, known in Puharee vernacular as Bakul dhan, when not irrigated artificially are ploughed thrice, and the grain is not sown until the third ploughing.

The ground is also flattened* three times, about fifteen days intervening between each stage of the process.

The rice crops produced in lands requiring, in all senses of the word, so much "tutuddood," are very inferior to those produced from the lower grounds, where moisture, derived from artificial irrigation, and comparative warmth, co-operate to produce luxuriant vegetation.

There are five kinds of rice cultivated on the high unwatered Bakul fields; these are the Kulho dhan, a coarse, reddish grain; Reora or Rheree, a white rice; Oojula dhan; Zeera dhan; and lastly, a rice which, from the circumstance of its *husk* being black, is called Kala dhan.

Even the chaff of rice is not wasted. It is accumulated for winter consumption by the cattle. The soil of rice-lands subject to irrigation is rarely more than a foot and half in depth and the other soil average in depth not more than eight inches.

Irrigated rice fields are ploughed in the months of Jeth and Sawun, May, June, and part of July. They are afterwards weeded and harrowed, and then watered till they are as soft as any cake of your acquaintance. To

* Rolled would seem to be the fitter term, but the implement employed is not a roller

this soft bed the tender young plants are transported from the spot where they had been sown twenty days previously, and the fields during this business of transplanting are covered with water a foot and a half deep.

At this season, the only one in which the men exert themselves, both men and women are employed throughout the day, knee deep in water and exposed to the fierce heat of a sun, whose rays (so powerful on those low grounds) are reverberated from the water.

The effect of exposure to such heat over head, and such damp and cold under foot—especially where the cultivators have descended from situations sufficiently elevated to possess a cool atmosphere—is, I regret to say, *very* frequently a fatal one, and almost always one of serious hazard. A fact abundantly proved by the sickly condition of these cultivators of the low-lands.

But then it is all in the way of business, just as the soldier is shot at for six-pence, and as the hack scribbler gets his bread and cheese by cutting up the writings, instinct perhaps with genius of—no matter how high an order.

It is all I say in the way of traffic ;—of business,—and the world wags all the brisker for it. Besides, in the case of untimely demise of these doomed rice-cultivators, one comfort is—and a very great comfort the widow finds it,—that he leaves her still, perhaps, nine-tenths a wife, with his nine lusty brethren left to console her else irreparable loss. But, I must say, “a few more last words” about agriculture.

The rice-fields, except in the lowest grounds of all, where the surface is naturally level, consist simply of layers or steps of land, of considerable width, but very slight depth,—levelled by artificial means and banked up to admit of the water lying in one equal sheet upon the surface of the soil. When the young rice is transplanted it is about a foot and a half in height, and the head of the plant is cut off before the root is inserted in the ground. The rice-grounds are weeded only once in the season ; and they are watered once in seven days. Seed-rice is always sown thickly, but the *translated* plants are placed, four or five inches apart.

The matured rice, when reaped, is spread in thin layers, in the sun, and is thus allowed to dry for two days. On the third day it is sheaved, and it is then stacked ; and at the expiration of twenty or thirty days, the stacks are broken up, and the grain is trodden out, winnowed, and placed in most primitive bags, made of the skins of animals, with the hair and the legs on, (looking not unlike a bheesty's mushuk on a small scale,) and conveyed in these to the house.

The rice-harvest is a busy season with the onus, upon whom, in these *halcyons*, at all times, the onus of labour devolves.

Of wheat there are four sorts, two white and two brown; and of either colour one is beardless, the other, *aristo* quasi cornua sunt spicaruna."

The red wheats, both bearded and otherwise, are the kinds chiefly cultivated in the higher localities, and the white, on the other hand, are those which are principally cultivated in the low grounds, besides rivers, and in the exterior and lower hills.

The red sort is sown in Asar and Kartik. The white in Kartik and until Magh.

Wheat is succeeded at certain heights by phuphara and oghul, two descriptions of coarse grain that are largely consumed by the people.

On lands whose last crop has been barley, the poppy is cultivated next in succession. Of barley there are three kinds; oowa, jowree, and peentoo; of these, oowa is beardless, like wheat, and bears a thick short ear with six rows of grain. It has a remarkable appearance, and will attract, from its difference from all other grain, the attention of the stranger, be he never so unobservant. It *makes*, as the phrase is, excellent bread, and is nearly as highly priced as good wheat.

Jowree barley is long eared and rejoices in a fine beard; and peentoo barley is short, thick-set, and hirsute also. The best of all is oowa, only it does not thrive in low grounds. Peentoo is next in quality and has but little chaff; and jowree is not produced at a greater height than four or five thousand feet above the sea.

Kupas, (or *kuppass*, if the ladies prefer that is) or cotton, is grown in inconsiderable quantities, and in the low lands only. Koolut, a kind of pulse, is sown in this neighbourhood, though at this elevation, it flourishes more immediately about Kotgurb, and is grown yet more extensively in lower situations. Moong-dal is cultivated in limited quantities about the banks of the Sutluj, and in other low grounds. It is sown in Asar and reaped in Kartick, and it is not unfrequently grown in small quantities in the bathoo and koda fields. It is cultivated, however, to its greatest extent, along either side of that burning valley, which is the *hot-bed* of the Girree river.

It is followed by wheat or rice. Kilao, a small field pea, bearing a pretty little purple flower, is sown in Asar and reaped in Jeth. It is frequently sown on patches of the barley fields. If in separate fields, it is succeeded by bathoo, and in the low grounds by gram and Indian corn.

Musoor, both in the higher and lower lands is a limited produce. It is sown always separately, and the land is afterwards left fallow.

There are other and inferior descriptions of grain, but these are scarcely deserving of minute description. Suffice it to specify the names of a few, and but a few of them.

Among these are phupphura, of which there are three kinds; to wit, the mota—which is very bitter; kunaroo or black phupphura, which is originally from Kunawur; and ogul or sweet phupphura.

Then there is a small coarse grain called kungree, of which there are two varieties; white and fine; and coarse and black; they are chiefly sown as high as Kotgurh or higher than that.

Challe, sounk, are totur and soluk, euphaneous names attached to other indigenous hill-grains of slight value.

Mustard seed is cultivated only on the low grounds, but it grows spontaneously in corn-fields, at almost any height.

Indian corn, unknown by the *plain* term kookree or of bhoottah, grows in straggling patches, and but scantily at the lower villages; but, in like manner with mangoes and other vegetable productions of the plains, it is largely carried to the Simla markets, from the districts that base the hills; nay, even from points as remote as Suharunpoor, Nuraeengurh, Raee poor, and Muneemgra. But it is time to vary our subject! and see! merry groups are rising from the tiffin table—where, methinks, we have left them inexcusably long!

After tiffin we again broke into little groupes, very small detachments indeed some of them; some of the ladies retiring to hold sweet counsel together in their own tents (and to recruit a like strength and beauty!) while others more indefatigable in the pursuit of enjoyment, returned to their wanderings up and down upon the earth, their butterflies, their botany and their beaux, which latter, I am not so discourteous as to include under any classification in entomology. For myself, I was soon comfortably seated at chess, with a fair antagonist whom it was equally agreeable to vanquish or to yield to, which was fortunate, inasmuch as the lady's science was by no means such as to render victory an easy matter. In truth, I had abundant opportunity of testing the relative value of a Don and a lost game, for Madame was deep in George Walker, and knew all about the Evans gambit, which I tried against her strong, but scarcely strong enough, in the confidence of anticipated triumph.

We sat till the sun was low, and the people thronged around, urging us to break off in the middle of somewhere about the fifteenth game, and in truth it was time to think of taking the downward path if we did not, or as we did not, desire to be frozen to death by passing the night in an atmosphere of the temperature of Bassin's Bay.

The scene was fine as we descended the hill, beneath a serene sky, whose mellow hues tinged the snow peaks, and the summits even of the nearer mountains with saffron light, discovering every crag and cleft of the former, and every hamlet and every copse that clothed the declivities of the latter, while a purple haze concealed their bases. The sun had set some time when we traversed the last dusky alley, when the road lies under an arch of interlacing pine boughs, leading back to Nagkandha.

We had heard that bears were to be found in the neighbourhood, and in the middle of dinner some of our scouts returned with the glad tidings that three had been seen in the khuds about five miles off. The zumeendar of a village near the spot accompanied our messenger and promised to supply us with lots of beaters "at eight pice a-head"

We of course lost no time in engaging his services and those of his village swains; and after giving directions to be roused at day break, and for an early breakfast and a khulta full of prog to be provided, we retired early to rest, dreaming of Bruin and slaughter. I for my part slept soundly in spite of the cold, which, indeed, I had warded off as best I might, with I know not how many "extra" blankets; and I quitte l my nest, nothing loath, when the more watchful of the party told us it was time to rise. The earliness of the hour did not prevent us from demolish ing whole hecatombs of broiled ham,—after which, leaving the ladies and (shame to say!) several of the gentlemen buried in sleep, we commenced our journey, by presently ascending a zig-zag to our left.

When arrived near the summit of one of the hills, which on every side tower to a height only a little lower than the regions of perennial snow, we had a prospect of the world below which even there had been nothing else—no bears—in prospect might have well recompensed us for our early up-rise. The sun had just risen above the eastern hills, breaking up the clouds and dull grey mists that all night had hung above them; and while rosy tints were lighting up the silver peaks and "the Eternal glaciers" of the snowy range, we beheld their bases wrapped in thick shade. Meantime the open slope on whose centre stands Kotguruh, afforded the light an entrance, and now the windows of the few gentlemen's houses that mark the spot, were glancing like fire beneath the early ray; though on the little lake that lies within the hollow to its right, the mists of night yet slumbered. We still continued our progress stoiling now over a ledge of rock, traversing now a forest almost impenetrable both from its density and the steepness of the hill whose sides it covered, and sometimes dipping into a valley only to climb the hill on the opposite side of it. We derived but slight assistance from our ponies, for even if one had not felt averse to

trust in such break-neck places to any feat but one's own; the lowness of the overhanging boughs would have rendered it impossible to "go a-head" on horseback.

We had been on the move more than three hours, when we halted at a small village whose name I forget, and made second breakfast in an empty cow-house or rather in the loft above it. However, the cocoa did not drink at all the worse for that—and the chase of Jansen's cherry brandy agreed most harmoniously with the cold ham—so that we went on chassing and cutting, at the Kircherwasser and the unclean animal, till Mahomet must have turned in his grave, with horror, at the two-fold abomination;—and certainly till we all felt no great inclination to trudge much further in search of the greatest bear that never wrote a dictionary.

The sport, such as it was, was not, however, destined to be much further distant, nor its pursuit, therefore, much more laborious;—and when at length we did gird our loins again and "start a foot," we were told aye and assured that the bears were not half a kos off, at least that this was our distance from the place which had last seen them. So lest it should "see them no more," we pushed on at a rattling walk, which was presently exchanged for the amble of our ponies; and on crowning one more height,—which was thickly wooded with stunted oak and other small trees, we found about a hundred active young mountaineers armed with spears and lathees, ready to "beat about the bush" for us. We proceeded to business, following as our guides and beaters led. Such a hallabaloos they set up was surely never heard before; but presently those below shouted, that the bears were in sight. We scrambled downwards as far as we could, by way of meeting them half way as in common politeness bound; but there was a chance of hitting some of the beaters, it was necessary, therefore, not to pass beyond the outskirts of the wood. I was well placed, just above where the bears were said to be, and sure enough, presently I heard a rustling in the branches, and in a few seconds beheld a long dark muzzle (almost as long and twice as dark as the muzzle of my gun) and then a pair of most formidable looking paws. I let fly, and so did a man who was near me, and certainly, though which remains unknown—one of us hit Master Bruin, for we saw the marks of blood afterwards, just where he had stood, however, it did not stop, but only altered his course. He gave a growl, clapped his right paw to his snout and then scrambled down to the left. We rushed out and followed him—and "bang, bang" went our second barrels just as he reached another patch of wood.

We hastened forward to witness the result of our discharge, and there was our victim, lying on his side, as dead as mutton. He had received one ball on the jaw (the one that had made him put up his fist

to hold his jaw) and two in his back, which latter had taken as it afterwards proved a slanting direction towards the chest.

Of the other two bears we did not get a glimpse, but one of them was killed by others of our party, and the third I believe was never seen. We now took a caulker all round; and after one or two last looks at our bulky *gibier* turned our faces homewards. There was no use in bothering oneself after the third bear, especially as we none of us believed there had been a third—for what the deuce should have taken a third there without a fourth. This conclusion seemed the more reasonable inasmuch as the two that had fallen, were evidently man and wife. Perhaps the third, if there really was a third, was their eldest daughter, just come out.

And so ended our day's sport! Bear shooting! the stupidest of all shooting and of all sports, as it seems to me; at least if bears in general prove as unresisting foes as did our bears in particular, I should say, that bear shooting were as unsatisfactory a mode of "killing the enemy" in whatever sense of that term, as could readily be devised.

We have all heard or read of the "ferocious terror of the valleys" the bear of the alps—where the free Swiss

"Doth seek the duc, where snow tracks mark the way,
And drag the struggling savage into day,"

(rather a *fine* idea by the way, that of dragging a bear from his den); but our ideas of a dark form emerging from a thicket about fifty yards ahead, and advancing boldly and rapidly to the charge, and perhaps holding one or another of us in his sturdy gripe, even after he has got a ball or two into him—these ideas, if any of us entertained them, effectually dispelled our expectations of a "foeman worthy of our lead."

We had scarcely "upstrick and away," when it began to rain "like sin;" (as Mr. H. would say!) however it is rather pleasant than otherwise to be *quite* wet through, and feel that the rain has done its worst—so on we trudged squashing and slushing—aye and *lushing*!—(just a little alcohol to correct the water) still about two o'clock, when we found ourselves not at Nagkandha, for thither it was pre-arranged that we should not return, but in a large and commodious house at Kotgurh, whither the ladies and the ladies' men had gone before. Need I say how cordial was our greeting—(after we had made ourselves *dacent*, that is,) by the former, whose welcomes were all worth having, or how their happy and bright faces were contrasted by the long ones of their lady-like beaux? Or need I record how welcome—how more than ever welcome—to us, was the luncheon, that presently was spread before us—pies savoury as those of Perigord and enough to create an appetite under the ribs of death—~~glads~~

from which Aurora had scarce kissed the tears of the morning, and chichore plump and tempting as "Venus's doves;" reclining before one in sweetest fellowship with layers of pink and white, that are emulous of the rose and lily albeit shaven from the porker's ham! Or how, after quaffing of "the spring dew of the spirit" whether in the bright shape of champagne, that bravest gallant of the vintage, or of port warm and darkly blushing like the daughters of its native valleys, or of honest ale and stout—perhaps the honestest and stoutest of them all; or how, after the draughts had become sufficiently; *encouraging*, some of our party exercised their ingenuity, and their imagination, by painting (with an occasional wink at the rest of us) our mornings' adventures in such glowing colours, throwing in so many gratuitous scraps of "effect," that truth to say, I did not recognize the original through the medium of the copy.

It was very flattering likeness, to say the least, of our humdrum morning's adventures: however, as the slain bears had by this time reached our whereabouts; and so supplied ocular evidence, that we had done *something*, all the little obligato accompaniments and embellishment about narrow escapes and so forth, may, for aught I know, have been received as part and parcel of the original *Opera*.

The rain meantime continued to pour in torrents, and it has not yet ceased. It is, indeed, growing heavier, and the mists are intercepting the prospect of the mountains, and spreading such a gloom over this vale, as were enough to sink one's spirits fifty degrees, if it were not for the agreeable people about one. The piano forte would indeed be a summum bonum here, but it was sent back from Phago.—However, on the principle that "*suavisest laborum præteritorum memoria*," we seemed to find

"The Winter of our morning discontent
Made glorious summer by the *piano wood fire*"

around which same we sat till nine, when most of us retired to court

"A sleep without dreams after a rough day."

10th.—This morning there was a delicious break in the tempestuous weather that had lasted all night. I had a long ramble before breakfast among some magnificent horse chestnuts and noble oaks, where Egypria might have had her grot; and that "feathered Sardanapalus" (as Leigh Hunt call him)—the cuckoo, was once more audible, 'welcoming the return of sunshine, which, however, would not stay. Once again sleet and rain, and all the *worst* elements of churlish winter are assailing us, poor devils that we are! Suppose then we return to something dry. I believe I threatened my gentlest of readers with "a few moments' conversation about the revenue" allons done! We cannot have a more unfavourable opportunity than the present for any *other* subject.

Revenue—did I say revenue? Alas the thing is scarcely known by name: as to knowing it by sight, the extent to which this is to be done may be illustrated by the fact that the collections in a number of villages in Malown are effected by the sole agency of —, the widow of a Sergeant-Major, who some years back died at the fort of that name. A rupee a head per annum is about the average amount of land revenue accruing in the native states, and it is of these that I shall mainly treat, for our own purgunnahs are still numerically too inconsiderable to call for prolonged or particular notice.

In the native principalities such is the languor,—I had almost said the torpor,—attendant upon commerce, that the revenue is, to what must be termed by comparison, a *considerable* amount, realized in kind.

Such collections are regulated by an immutable standard; thus one joon, (or sixteen putthas of seven kucha seers each) is levied upon every kyn of land, and on each successive crop, whether barley, phupphura, chuhennoo, bathoo, or other grain, and whether the crop be abundant or scanty. Sometimes an equivalent in oil is received in lieu of grain. On the fulfilment of the conditions of payment in kind, one rupee per annum is further exacted from each zimendar—by way, no doubt, of greasing the wheels of the grand state machine,—upon the Byronic principle that “Ready money is Aladdin’s lamp.”

It is by no means unusual for an impoverished landholder to mortgage a portion either of his ground, or of its produce during a stated number of future seasons. Such transactions, as they are rarely set forth in writing, frequently involve dissension.

And in times of but *partial* scarcity, such as have been to a more than ordinary extent unsuccessful, will borrow grain from their more fortunate neighbour at the high rate of interest of 25 per cent. Thus if one joon or sixteen putthas of grain be borrowed the negotiation is coupled with an agreement that twenty puttahs be repaid at the ensuing harvest. The interest charged is sometimes as high as fifty per cent, or 8 puttahs per joon; in other words a return of 24 for 16. Of course resort to such temporary comfort is, as it were, a sort of suicide, a throwing oneself upon the very spear of fortune; and nothing short of an imperative, nay an unavoidable necessity, could ever tempt men to such an utter self-sacrifice.—It is found that he who resorts to this perilous device for cutting off the evil day, but rarely indeed restores his broken fortunes; but then, on the other hand, it is only fair to state that no man ever has recourse to this expedient who has a substantial hope left. It is as though a dying man should hurl himself from a precipice to end his sufferings.

I have stated that every zumeedar pays the Rana] of his—must I call it “principality?” one-rupee per annum in addition to the 16 thathees or puttas of grain (a thathee or putta consisting of seven kucha seers) leveyable on every joon of land in cultivation. But I have to add that,—whatever the extent of arable land in his charge,—each zumeedar is required, moreover, to present annually to the Rana, three seers ghee and one of oil.

It is only fair to add that the reigning potentate should be a prince of an enlarged capacity and epicurean habits, his palace, (rich in cattle and cow-dung,) is illumined on the night of the dies faustus on which those lantitiæ may have been amassed, with ten or even a dozen chunaghs, and all the pillars of the state are convoked to enjoy their monarch's hospitality; of venerable goats burnt till they be drier than they were in life, of putrescent ill dried fish, and of gajtees, kuchaloos and other—so called edible roots, duly saturated in the apricot oil or the ghee, which are delicacies of the season.

The late, the gifted Sir David Wilkie, had he visited the health teeming Hemalayas, would, perhaps, have been still among the living ornaments of his age; and he would perhaps have produced a second immortal picture—(query; *first* if its worth be given precedence? on the pregnant subject of the rent day.

But to proceed—for what boots it to dwell on the irrevocable past? the post-printer is not among us, and Heaven alone knows when the rent-day in these hills will be depicted by the hand of a master worthy of the name!

The Ranas have further their private demesnes in various parts of their purgunnahs—of which the proceeds are collected by an officer known by the title of Bunaree or Bundaree.

Further,—duties in transitu were till recently levied on all articles of export and import. These are now collected only at Nureepore, our just now neighbouring “location” of Rampore, and a few other places; and the proceeds of such imposts, in the district of Kotkhaee for example, amounted up to a late date, to no more than from two hundred to two hundred and fifty rupees per annum, on *all* articles, whether of imported or exported merchandize.

Yet the annual revenue of Kotkhaee has never exceeded seven thousand five hundred rupees, or a little more than a rupee per head on its very scanty population, up to the period when the transit duties were more generally collected. Since their abolition the revenue has been nearly quadrupled.

I may here briefly remark, that Kotkhaee is the capital of that section of this district (Kotgarh) which, up to the period of his demise, when it fell into the hands of the hungry company, was in possession of the late Rana ; and here by the way, it may not be irrelevant to give a brief outline of the revenues yielded, whether as tribute or otherwise, by the several hill principalities while these were exclusively under native jurisdiction.

To begin with Gurhwal. About a moiety of this little state is now comprehended in Kumaon. The other half was allotted to the Raja. The revenue of the British half was, up to a late period, about 64,000 rupees ; that in the possession of the Raja of Kumaon amounted in 1824 and 1825 though upwards of 70,000 rupees, but it is understood to have of late years deteriorated.

Exclusive of Gurhwal, or of that portion of it which was allotted as above indicated the amount of revenue accruing to the Kumaon Rajship was not about nine thousand rupees per annum.

The revenues of Sirmoor have been estimated at only six thousand rupees.

Of Hindoor, the mountainous portion of Sirmoor, the revenue is about thirty-five thousand rupees. Part of Sirmoor is situate, in the plains towards Plasseea and Roopur, and of this section, though its extent is considerably smaller than that of the mountainous tracts, the fiscal proceeds are at least equal to those just quoted.

Of the principality of Kuhloor (attached to the Bilaspore ulaqah) the annual amount of revenue is about eighty thousand rupees. But only that section of it which lies on the hither-side of the Sutluj is under British *protection* (!) The parts of this state lying on the further shore are " obnoxious " to the extortions of Sher Singh, which side is the happier no one need doubt, though it is currently affirmed that of either protection bad is the best. Probably, to use a right classic phrase, it is " six of one and half a dozen of the other." Let us examine this by the light of such scanty data as are procurable.

The Cis Sutluj portion paid to the British Government in the year 1820, a tribute of fifteen thousand rupees, the first that had been exacted from them since the cession of the province to British India.

In the same year Sindor Desa Singh, a Commandant of twelve thousand of the troops of the then reigning potentate Runjeet Singh, was located at Kotgangra for the purpose of curbing and keeping down the numerous tributary hill chiefs trans-Sutluj, who were dependent on the Maharaja of the Punjab.

The Sindor Desa Singh (I cannot venture to curtail his appellatives!) exacted from the Bilaspur Rana for that portion of his territories which lie beyond the Sutluj, no less a sum of tribute than fifty thousand rupees; although the entire annual revenue proceeding from that moiety of his dominions does not exceed the amount just stated. On the other hand, of the portion lying on our side of the Sutluj, the annual revenue amounted to seventy five thousand rupees, so that it is clear we are (or were) the less unconscionable extortioners of the two. Next comes Bupahr, whose yearly revenue was up to a late date not more, nor yet much less, than from fifty to sixty thousand rupees.

Kumaon, including the reserved portion of Gurhwal, is now in the hands of the British Government, and its revenue has already been quoted.

The Rajah of Gurhwal pays no tribute in money, but he is obliged to furnish beegarees, and there is a stipulation which requires that he should supply a quota of troops. But we have not yet called on him to fulfil this latter condition, though, as recently as the year 1839, you might have seen, so I am assured, the population of whole villages belonging to his territory, flocking into Simla, to convey Lord Auckland's myriads of chests and camel trunks from thence to Barh. I may here remark, by the way, that in like manner with this chieftain, all the other dependent Rajships and Thakooraces are liable to be called on in time of war to furnish in proportion to the extent of their territory, or rather of its population, their several contingents of armed men. With the exception of Bussahr, which, from the earliest date of British supremacy (in these parts) has continued to pay a yearly tribute of fifteen thousand rupees (in three equal lists) in lieu of supplying Beegarees. With this isolated exception all the dependent states have been wont to furnish their quotas of Beegarees for gratuitous attendance, (when required for public purposes), in lieu of paying pecuniary tribute.

The evils that were the natural and certain growth of this pernicious system—the oppression of the peasantry and the neglect of crops, have, I am rejoiced to learn, at length, however tardily, induced the British Government to propose a commutation of the provision of Beegarees, into a very trifling monthly cash payment, at so much per head on the number of Beegarees heretofore provided.

This proposition was readily accepted by all of the chiefs save those of Kotkhaee, Kootar, Dirkothee and Koonseeyar. The Kootar Chief has, however, at length agreed to the proffered commutation; and the handful of Beegarees that were levyable from the Dirkothee Rana have been dispensed with, in consideration of the poverty of this *Potentate*. He has been required to supply in lieu of either men or money, two musk bags per annum; but doubts are entertained as to the extent of his ability to

provide even this slight offering ! The Government of Sirmoor, like that of Gurhwal, has never yet been called upon for either Beegarees or pecuniary acknowledgement. But the divisions of Jaonsar, Bhamur, and Deogurh, dependencies of this state, which have been appropriated by the British Government, are, no doubt, more than equivalent to the amount of what might else have been fairly leveuable tribute.

The states of Kuhloor and Hindoor have been exempted alike from payment of tribute and provision of Beegarees, in consideration of "some service" (as Othello says) which it appears they did to our state, during the Nepal war.

The principality of Bughat formerly provided one hundred beegarees a month. It now pays in lieu of these, three rupees per head, per menssem, for that number of " humans."

The annual Revenue of Bughat is estimated at twelve thousand rupees ; that of Bhogul at eighteen thousand ; of Keeoonthul at thirty four thousand ; of Koonharsen at eight thousand ; of Kotgurh Kotgooroo or Kotkhaee at six thousand five hundred ; of Joobul at fourteen thousand ; of Bhujee at nine thousand ; and of Bulsun at five thousand.

It may be proper here to state, that Keeoonthul has been deprived by us of half of its purgunnahs ; Bughat of two thirds ; Keyaree Muder of one purgunnah ; Beja of one half of its purgunnahs ; and that this shearing of the originally fair proportions of these states was effected under the plea that they had not afforded us that assistance which we had a right to expect from them (proh pudor !) in the subjugation of their country, in 1814 and 15 ; so true is it alas, that our policy is ever under the veil of " glozing professions," to shove by right with might.

The wreck of these states, (collectively constituting a still noble possession) are now the property of the Putteecaluh Raja.

The Putteecaluh purgunnahs of Keeoonthul are farmed for eighteen thousand rupees per annum, the jaruhdar " bagging," it is said, a clear nine thousand rupees after " booking up," for the year.

They have, nevertheless, annually risen in value for the last ten years, and only a few years since they were annually worked for nine thousand rupees as the maximum price which they were then capable of producing ; and as, at the close of the war, they were sold for a hundred and fifty thousand rupees, they must since that period have reproduced for the purchaser very much more than his original outlay.

It must, however, be added that the people of these states complain vehemently of the extortion to which they are,—or at least to which they allege that they are—subjected, and it may be doubted whether *ever yet* a people has unjustly complained.

In truth it would be no easy task to determine the amount of removal fairly leveyable from any one of the hill states ; and this for the simple reason that the chiefs are but too prone to exercise upon their subjects the most unpitying extortion ; and because, yet more especially, the wuzers and other subordinate officers of those chiefs are wont to " Wring from the hard hands of peasants their vile trash by *every* indirection." The practice of extracting heavy "*wuzers*" is among their least exceptionable means of extortion ; and when the season is unfavourable, and when farmers, as an inevitable result, under such contingency, of their perverse neglect to cultivate more ground than would, under most favourable circumstances, suffice to meet their wants, are reduced to at least a temporary destitution, the Rana or his myrmidons, or their myrmidons will supply them for a series of months with a temporary escape from starvation, at a rate of loan so *usurious* as infallibly to involve the ruin of the borrower ; a condition of circumstances which renders it difficult to define whether the indolence of the peasantry or the oppression inflicted on them by the landlord, be that which mainly conduces to produce distress. Too probably either circumstance is part cause and part effect. Be this how it may, a perpetuated folly on the one side, and tyranny on the other represses alike prosperity and populations. Thus the zumeendar constantly receives back in the current year, with heavy interest, the grain which he lent in the by-gone one, and which he will too frequently again return on the same oppressive terms.

Were the principle of loan but based on equitable grounds ; were the chief content to personate the enobling character of a guardian and protector, mindful of his people's rights, and constantly devising schemes to counteract the indolence and their improvidence, the system of loan would, perhaps, be found to conduce to the best interests of all parties, and the results of such arrangements, honestly negotiated in seasons of scarcity, might *ultimately* prove to be more advantageous to *both* parties than the fruits of the present system can be to either. But indolence and improvidence must necessarily increase *precisely* in the proportion that hope of benefit from labour and prudence is diminished ; and, unfortunately, each small Rana, each petty *potentate*, in turn, would seem to regard himself as but little better than a farming extortioner, each would appear to conceive that he possesses no sort of interest in the prosperity of his lands, save such as may adhere in the pursuit of his own momentary profits. It matters little that he is killing his goose ; its produce is golden, and he is content to hazard the experiment as to whether, after the fowl has ceased to exercise any other animal function, the process of ovation will proceed with its accustomed vigour.

What marvel if the consequence of all that oppression, which is *respectively* inflicted and experienced, be frequently the desertion of whole

villages. Such in fact is not rarely the result; and as their inhabitants, in such events, usually flock to *purgunnahs* that are under British jurisdiction, it is not too much to say that our rule is comparatively mild and just.

Incredible as it may appear, the Chiefs regard such desertions with apparent unconcern.

The system of contribution in kind is an *abuse* (or at least a system pregnant with abuse) which is found to diminish spontaneously in a direct ratio, as cultivation advances, or, in other words, as barbarism recedes; and that this *would* be a result of such a cause, appears to be a conclusion at which any reflective mind would arrive. The amount of "tyranny and wrong" exercised by the Goorkhas was fearful, and to say incredible; the exactions which they enforced upon the people can hardly be conceived or even credited. On the occasion of a former visit to these hills, I became possessed of statements on this subject, from many intelligent and respectable natives, who had been in the responsible exercise of "*fiscal functions*" under that Government. These statements sometimes varied, but they were never contradictory, and their tendency as always to prove that the spirit of their least oppressive rule was analogous to that which prevails (if it ever prevails) in Europe, only where an invading army is traversing a hostile country. Such, it would seem, was the principle or rather the passion that characterized the Goorkha rule. Nay, to such an extreme was the parallel extended that the whole of the country that had been subjugated by the Goorkhas was apportioned out to detachments, (called *Puttees*) of the Goorkha force. The distribution was regulated by the very imperfect and inaccurate information which alone could be obtained of the resources of a given tract of country; the allotment was essentially a lottery; the larger body of troops were not unfrequently billeted in the more impoverished section of territory, and one certain event of such mischance would be, that the peasantry would be subject to an extortion, yet more than ordinarily ruinous, though it by no means followed that the smaller party located in the richer country, was wont to exhibit any very remarkable abstinence. To exemplify—suppose a subadar and his party to receive, on the revenue of a given *purgunnah*, a *tegh bundee* or *sword bond* (most apposite of title!) for the payment of himself and of his party; suppose that on taking possession of the lands thus *surrendered* to him to work his will upon, he finds that the fair, the unextorted revenue, exceed the sum which it was originally granted to cover; he would, in that event, not merely retain the surplus as his own legitimate profit, but he would proceed to mulct the ryots and *zumeendars* to any further practical extent; a procedure in which he is zealously emulated by the jemadar (his second in command) from him downwards, through "pioneers and all," even unto the impure and low

coasted trumpeter or "peepawala." Again, assume the occurrence of the less frequent event ; to wit, that he draws a blank,—that the equitable amount of revenue be less than commensurate with the arrears of pay due to himself and his troops.

Under such conditions he does not commit (not he !) the solecism of applying to his government to make up the deficiency.

He is, practically, too well versed in political economy to have yet to learn, that a blunder is less venial than a crime ; so he just proceeds to extort, by the infliction of torture and the infliction of fine eked out by plunder and confiscation, about double the sum of his residuary dues.

Such was the economy that prevailed immediately prior to our conquest of these hills. Such was the fatal cause which (in conjunction with the prevalence of female infanticide) but just stopped short of utterly depopulating these beautiful and health-teeming mountains.

The Goorkha conquests were moreover ruinous, though this was a minor evil, to the aboriginal Ranas. These were in many cases compelled to fly the country, at least if they preferred perpetual exile to death. They were yet more frequently driven from their homes and their territories, with the allotment of some petty village and its dependent lands for the support of themselves and their immediate followers.

Even such paltry grant was rarely secure from the rapacity of the Goorkha soldiery, and all the private domestics and household lands pertaining to these native princes, were appropriated by the Goorkha Chieftains, in a word justice was "dwindled to a shadow," and these un pitying conquerors, unhesitatingly appropriated grain, cattle, implements of husbandry, and even *any fair member* of an aboriginal family, whenever and wherever opportunity presented !

Wherever no extortion is exercised in the collection of the Revenue, it may be correctly predicated that the same 'lyphers would supply a true index of this and of the population—in other words, that the Revenue throughout the hills amounts, on an average, to one rupee per head, inclusive of all ages and of either sex. The correctness of this estimate has been tested in Jounsar, Bhawur, and Deogar, of Sirmour, (which are now under the supervision of Colonel Young, of Deruh) by the comparative results of a census of the population, and of the annual proceeds of the territorial assessments, which shew that both are as yet proceeding *pari passu*. And it is, at least, *fair* to assume, that in more mountainous and savage regions, the comparison would be other than calculated to exhibit a large proportionate revenue.

Such being the condition of affairs induced by Goorkha misrule, it is scarcely a subject for wonder that upon *our* invasion of these hills, a spirit friendly to our advance was evinced by the aborigines ; or that these displayed on all occasions a decided eagerness to supply us with speedy and authentic information as to the movements of our common enemy.

In truth it may be doubt whether the Goorkha dynasty even if it had remained unmolested by foreign hostility, could have endured for many years longer, without depopulating the country, or else without that people being reduced to a condition as deplorable as that of the wretched inhabitants whom their tyranny had destroyed or debased. If for no other reason (and abundant other reason might be given ;) their rigour and their tyranny contained the seeds of no remote ruin to themselves as well as to the country, for the simple and sufficient reason that their sources of wealth, nay even of subsistence being comprised in the natural productions of the country, when *this* (through the absence of labourers, if not inhabitants) ceased to be productive, *those* were dried up at the fountain head.

It is not wonderful, that one consequence of the oppressive exercise of power by the Goorkha, was that small parties of them were cut up by the primitive inhabitants whenever an opportunity for their destruction offered. The Goorkhas themselves, however, well aware that such was the fact, that every man's hand as well as heart was against them, instead of striving to allay the growing tendency to retaliation, by pursuing, however tardily, a line of policy calculated to gain some portion of the esteem of the conquered people, excited them to yet greater discontent by further acts of cruelty, extortion and indignity.

It must, however, be admitted, that the conquering power were provided with some palliatives, though with no justification of those acts of misrule to which I have alluded. Those palliatives are to be found in the cringing, the litigious and the slothful propensities, (of which slavishness, that ever fosters tyranny,—dissension imposes trouble on the governing powers, and neglect of the lands, which were, therefore, comparatively unproductive, are the never-failing fruits) of too large a portion of the inhabitants of the interior. Further, these barbarian aborigines were constantly plundering from each other ; thus, the Ranas of Kotgurh, were wont of old, to pursue a system pretty similar to the one in vogue among the rievors or cattle lifters of the Scottish Highlands, in those good and honest " old times" when the universal watchward was,

" Those may take who have the power,
And those may keep who can."

In fact, in *these* highlands, as in those of Scotland, so unsettled were individual's affairs, real and personal, that in the absence of all law, and

hence of all safety, save such as individual or factional right could produce, every man capable of carrying arms was a plunderer and occasionally murderer, by profession—and on conscientious principles—that he might so escape from less satisfactory condition of being plundered, and, perhaps, on some occasion murdered.

Under such an *order* of Political Economy, to rule certain turbulent spirits with a rod of iron, and to establish such severe practical warnings and examples, as were alone effectual to keep them in any sort of subjection, became positively a matter of necessity.

And, unfortunately, though the Goorkha has since been crushed, his sting yet rankles in the wounds that he inflicted ; for every one of the petty chieftains, even at the present day, either does deduce, or fain *would* deduce, from the extraordinary practices of the Goorkhas, authoritative precedents for their own inordinate demands ; unmindful the while, that, impressed by the conviction, that the Goorkhas were heaping ruin on their country, they had themselves, while in the condition of impoverished exiles, or while subsisting on the scanty gratuity conceded to them by their conquerors, both aided the British Government to wage hostilities against those conquerors, and under every circumstance of danger or difficulty had despatched emissaries among the aboriginal hill people, among those very people whom they in turn are now so willing to oppress, to urge them to rise against the foreign tyrant upon the very grounds which their present exactions set at naught.

It is but a natural result of this protracted state of injustice and misrule, that many families, sometimes whole villages, fly from their native country to seek in the territories immediately dependent on Great Britain, or sometimes in those native states, which chance to be more moderately governed than others ; in other words, whose reigning chief, whatever his predecessors may have been, or his successors may prove to be, is at least by comparison a mild and just ruler.

Before dismissing the subject of land produce, it may not be amiss to specify the standards and their designations that are in use in land measurement. The land, then, is divided into Thathees, Puttus or Puttees, Barhs, and Kyns, Burhoos, and Joons ; the Thathee is, in point of fact, a measure for grain instead of land ;—it contains four seers, Kucha. The common Putta holds five seers, Kucha ; and the Rana's puttah—(the measure wherewithal he appropriates the lion's portion.)—to wit the standard of measurement of Revenue in kind, contains seven seers Kucha.

The Kyn is exclusively a land measure. A Joon is a measure for grain, but it is likewise made applicable to purposes of land measurement.

Thus—a piece of land capable of containing and reproducing sixteen Puttas or one Joon of seed grain, is called a Kyn. A Burhao is equivalent to twenty Puttals; a Barh, (or—query “bar,” or load?) is equal only to sixteen Puttas. The seed grain used for the measurement of land, is invariably wheat, and the irregular mode of cultivation in use in the hills, where patches of arable land are sown, in long narrow patches, one above another, does not, perhaps, admit of any equally effectual method of determining the extent of ground in cultivation, or consequently the amount of assessment to which it may be justly liable.

Nevertheless, this mode of measurement affords unquestionably extensive means of imposition. However, the extent to which land is at present cultivated, is miserably circumscribed, and there cannot be a doubt that the increasing demand for grain for the Simla Market—(which is at present mainly supplied from the plains)—is in conjunction with the protection we extend to the farmer, gradually operating to induce a much more extensive cultivation of all the more important of the hill products.

These, I may observe, by the way, consist in opium, of whose superior quality, MONTICOLA, if my memory serves me, has spoken at large; of iron, from the mines in the interior; of ginger,—of a very high quality,—which flourishes all over the lower hills; of turmeric, an article of considerable export to the plains;—and of rice, of a superior kind, the produce of the lower hills; besides some articles of minor importance.

These are frequently disposed of even to the present day, in barter for the cotton, silk, indigo, spices, sugar, tobacco, grain, Lahore salt, copper and brazen vessels, pewter ornaments, beads and trinkets, of the plains, instead of for gold or silver currency, which, by the way, was almost unknown among the denizens of the Himalayas previously to the British invasion.

For the determination of weight, the steel Yard is still in common use, though wooden scales are also frequently employed.

The following states are still authorized to levy transit duties, upon all articles of traffic imported or exported, on their route through their boundaries.

Puteecaluh is allowed to levy them at Pinjor, and Hureepoor Keconthul, at Simla; and formerly (until the site was changed) at Raen;—Bussahir, at Rampoor, and also in Chooarha and Sirmoor. Every petty state up to the year 1824, used to impose taxes in transitu, upon all articles of commerce; but the number of vexatious checks to traffic, involv-

ed by the exercise of such power of taxation, became gradually so apparent, that in 1824 the privilege was limited by our Government to the extent above defined. The duties so levied, excepting upon a few valuable articles, seldom exceed half an anna on a rupee's worth.

Opium, and churru (reate churus) or the extract of bhang, pay more largely, and from two to four annas each are paid on silk lungas or other common silk pieces.

There is one irregular source of revenue which I have omitted to mention. A certain religious ceremonies, or rather at particular seasons of the year, when those are held, it is customary on the part of the people to present to the lord of the manor *nusurs* of two or more rupees each, according to the means of the party tendering the offering. Long continued usage has rendered the observance one of such stability, that the proceeds accruing from it may be fairly regarded as constituting a portion of the revenue. It may also be not irrelevant here to state, that a considerable portion of the revenue of each Rana is devoted to the support of the priesthood, and to the repairs of the temples, and the bona fide amount of income remaining to each must, therefore, be computed as far below its nominal extent. * * * * *

The Goorkhas began their attack upon the hills to the N. W. in 1803, and success, on every occasion, attended them. They ruined and unpeopled many tracts of country, considerable alike for their extent, their productiveness, and their population.

Several of the Ranas fled for safety to the plains. Those who remained were, in most cases, constrained, by the tyranny of their conquerors, to accept a miserable pittance for the support of themselves and their families. Others, by union with their victors, escaped with but partial ruin. The Rana of Bughat went so far as to bestow one of his daughters in marriage on Umur Singh, the chief Goorkha General. Hence he lost caste, and became degraded in the estimation of the other Hindoo Chiefs, and of his countrymen in general.

The Goorkhas appear not to have affected even the semblance of good government. Their chiefs appropriated all the reserved lands or private demesnes, which had belonged for a succession of centuries to the native Princes, and the inferior classes of the Goorkhas, were suffered to commit with impunity the most wanton excesses, the gravest injuries, the grossest insults.

Every man was left to the indulgence of unbridled passions; and moderation, honesty and benevolence, are virtues whose very names were unremembered.

The Goorkhas were employed for twelve years, as I have already remarked, in the conquest of the hills, but the difficulties they experienced in obtaining a footing here, seems to have but little effect in warning them that the mountaineers were ill-disposed to endure slavery: and that a more conciliatory bearing, and at least a nearer approximation to justice, would have a more salutary tendency towards establishing their authority than the system which they adopted, a system which armed every hand against them, and finally and quickly produced their downfall.

Miserably, indeed, were they ignorant of man, if they knew not that more of vindictive feeling, more of bitterness is produced in men's minds by the petty invasions of right and convenience that they daily practiced, than by an isolated injury, however great, (such as conquest) if unaccompanied by insult, and if followed up by justice—that the latter may be gradually forgotten, while the former, so palpable, so obvious to every understanding, is kept alive in the recollection by the daily recurrence of degradation and discomfort.

It would be difficult, it might be impossible, to ascertain,—even if we could interrogate every Goorkha Officer, who formerly perpetrated his exactions on the several villages entrusted to his care, and if such officer would avow, as sure he would not, the utmost extent of his misdeeds so far as these were known to or remembered by him, to ascertain, I say, either the precise limits, or the precise particulars, of oppression, experienced by the mountaineers at the hands of their conquerors.

For, besides the more definite extortion (of which either party was respectively agent or object,) such as that of money, grain, and cattle, all moveable articles of value or use were violently appropriated as occasion and opportunity offered: nay, even children were not unfrequently seized and retained as slaves, (termed Ketas or Keetees, accordingly to their sex) to make up a deficiency of the Jand rent.

Even at the present day, and under a somewhat milder rule, the condition of the peasant of the hills is but slightly ameliorated. He consumes nearly all he produces. No capital but his own (and but little, heaven knows of that,) ministers to his productiveness. When he rears his crop he destroys it, and nobody is the better for his existence, but accidentally perhaps a landlord; and it is highly to their credit, that amidst much oppression and more poverty, the expecting female infanticide, which they consider to be no offence, are assaults, while, of more flagitious and degrading crimes, they are almost absolutely without imputation.

Yet, it would be hard to say, what benefit has accrued to the peasant from the subjection of these mountains to the British Government.

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Torture is still tacitly permitted to be used, for the purpose of discovering wealth, wherever its existence is suspected, (and, of course, therefore, for *any other* purpose, at the will of the Rana who inflicts it;) and still, in spite of the professions of the chiefs, that they are desirous to administer justice to their subjects, their word is suffered to constitute law, and any reference, on cases of grave offence, that may be addressed by them to the Political Agent, is a ceremony, whose adoption is purely discretionary, and altogether irrespective of the regulations, provided for the court of that functionary.

The Political Agent is, however, invested with authority to interfere in any cases of female infanticide that may come to his knowledge; a-propos to which, I may observe, that there have been no fewer than seven cases of this class under investigation within about twice as many months. It is decidedly a duty that we have yet to fulfil, or, perhaps, it is one that we may never fulfil, to these poor people, to reorganize their system of punchaeuts, a system which is at present as defective as it could well be; and this, not merely from a tendency to corruption inhering in its several organs, but further from the existence of such difficulties as arise out of a want of information, on the part of our own authorities, in regard to the usages prevalent among the several states: usages which often widely differ, not alone from those in practice in the plains, but from those obtaining in an adjacent hill-district.

The same plea, whether of right or of expediency, on which we ground our interference for the suppression here of infanticide, and every where of Thuggee, would supply a pretext for our intervention with the object of confining punchaet of the hills under the same regulations which limit or controul its action in the provinces, where the punch, (as it always ought to be!) is carefully composed of the very best ingredients which the village affords.

The people look to us for some amendment of the punchaet system actually in use, and it is to be plainly gathered from association and enquiry among them, that there is a desire on their parts to further the success of a measure whose importance their individual experience of the evil of their own system of mingled conflict and corruption, and of the good of our amended one, of recorded reasoning on the one hand, and of the privilege of appeal on the other, has long since, and almost ever since the process of our Courts has been open to them, convinced them.—*Hurk. Oct. 30.*

THE
CALCUTTA MONTHLY JOURNAL.

1844.

CAMPAIGN OF KOHISTAN.

1) f the Agra Ukhbar

and it was the necessity and importance of the position, and by his excellent and such an opportunity, that I was induced to undertake this mission. I had been in all the important battles, and would have been at the moment in the head of many thousand followers. This opportunity of intellect and enterprise over the Political and Military Authorities, might then have commanded much temporary success—and shaken our Indian Empire, from its effect, in Nepal and the Punjab. The idea sprung in a happy moment from Sir Alexander Burnes, and was proposed to be executed by Sir W. Macleighton, to Sir W. Cotton, who refused the troops, in force sufficient for any good purpose. The Campaign was however opened in the usual unmanaged style, but fortune was with us. Captain Fraser was sent in command of a small party to Chirukai; the enemy proposed but did not execute their attack on this handful of men, had they done so, from what has subsequently transpired their success was scarcely doubtful, and the party must have been sacrificed to the Military genius of Sir W. Cotton, Captain Fraser, an Officer of less reputation than sterling merit, saw the hostile state of the country, but whether as a certain important and secret despatch from an Engineer Officer, induced General Cotton to begin in earnest, I cannot say, but suspect it must have been the latter, but it was followed by

Sir Alexander Burnes, whose information was certainly an improvement on former times, traced the chief of this place, who effected an escape to Joolghah, in which place two or other Chiefs, the most turbulent in the country were holding their Councils; he proposed a scheme of surprise which succeeded admirably. The execution was an easy task and such as it was Captain Burnes effected it with credit. Sir Alexander subsequently issued instructions, which led to the battle and report that Ishak would be next attacked; the Cavalry in the mean while started at night for Joolghah, reached it by morning, and invested it under fire. The Infantry marched at 3 A. M. the

distance being 14 miles, with the view to capture the Fort by night fall. They arrived with the Artillery and a portion of the Artillery stores between 10 and 11 A. M. Now let me state the relative situation of the two parties at this time, and the importance of the case.

On the one hand a Garrison of 75 men, headed by three Chiefs whose capture was at that time most desirable, was shut up in a weak Fort without water and with little ammunition. On the other, about 600 excellent Infantry, 1,000 Cavalry, four guns, and, last not least, an Engineer Officer, the whole being supplied with ample means, were opposed to them. Here was no surprise on our part at the strength of the place, no miscalculation or misinformation on the part of the Politicals. Sir Alexander Burnes having supplied to the Engineer a very correct plan of the place and its neighbourhood. I will not repeat the story of the failure, but its causes are worth noticing, and have never heretofore been mentioned.

These are— that the breaching was commenced at a Bastion, in place of the Curtain, the former being the strongest, the latter the weakest part of a walled fort of this country.

That having guns of small calibre, the breaching was attempted at too great a distance, seeing that they might have been brought nearer, under cover of the village outside the Fort.

That the crest of the breach was too high; the mass above never could have formed rubbish sufficient for a practicable slope, and moreover the head of the breach being above the tops of the houses inside, was a great error, led to the embarrassment of ladders by the Engineer, to get the men down from the roofs to the street of the fort; and to the advantage possessed by the enemy of a low wall on the roof whence they swept the crest— had, on the country the wall been breached near the foot; and the houses inside would have been levelled together. Lastly, that though men were sent to storm a breach the head of which was too narrow to pass two men abreast, contrary to the most common principles of practice in war, where a section abreast is the least that is considered safe against resistance from the garrison, yet that no feint in another quarter was made to distract the garrison and draw off part of its fire from the storming party; nor was even a weak gateway (which Colonel Wheeler would certainly have thought of) in any way attempted to be forced, which it might have been by half a dozen school-boys.

Such are some of the causes of the storming column being driven back, but the place might have yet been taken, had firmness and discretion been shown, and I believe the Engineer Officer, for once in his life made an open, direct offer of blowing in the gate, simultaneously to a renewed attack at the improved breach.

The last arrangement of Genl. Sale's was the most admirable; when it had become necessary for the enemy either to surrender, or, from want of water, he entrusted the care of guarding the gateway to natives of the country, withdrawing a party commanded by British Officer,

Thus if General Sales' admirable arrangements had led to the capture Tootum Dara, so did they at the defeat at Joolghah, unless indeed the Engineer Officer made the arrangements of his department; in either case this latter did not do his duty at all or did it so badly as to have deserved just as much censure as he received credit.

I have trespassed on your time and paper, and will shortly close this. The best head with the Troops, a man of considerable professional attainments, Captain Abbott, has no share in this disgrace to our arms; his advice was neither asked nor given, had it been so, I will venture to say, it would have been for the advantage of the service. The storming party, more especially the Officers and men of the 13th Light Infantry, did all men could do, the former animating and encouraging the gallant attempts of the latter.

In fact every one concerned in the affair deserved honorable mention, except General Sale and Captain Saunders, and between them lies the foot-ball.

Yours obediently,
PHILO-CONSERVATIVE.

No. 2.

Sir,—I concluded my last with the most unexpected and unnecessary failure in capturing by assault a wretched fort, or in securing the persons of our most cunning but sagacious foes. From the sublime to the ridiculous is but a step, was the pithy remark of a great soldier. General Sale made a very short one indeed, from boundless confidence in his abilities, as an Engineer, Artillery and Infantry Officer, from an overweening opinion of himself as a first rate General, to an utter prostration of self-confidence, and a total extinction of moral courage. His raiment thus fallen from his shoulders, alighted on the younger and most ambitious ones of our only Engineer who, had he possessed authority proportionate to his desires, would have involved us in a cloud of theoretical mystery, and opened our eyes only when he had succeeded in practically surrounding us with inextricable difficulties, from which his happy genius and extensive experience could alone have saved us. What a scene in the new and popular farce of "a bold stroke for a Cross of the Bath."

We are now shortly to be opposed to a foe more worthy of our steel. For Dost Mahomed Khan baffled by Brigadier Dennie at Bameean, was just now about to cross the Hindoo Kosh into the Gorbund valley, while our sagacious Politicals were searching every whole and corner for him at Keibakht, thereby displaying the sickness of their noses to great advantage to the Keenness Oobegs. In the mean while the troops fell back to Delh Kazee, and again upon Charikan, during the latter march we saw with pleasure that the spirit of our General was remaining him, and from the incident fond anticipations were formed of the future. As at Joolghah, a mud wall was preferred to a gateway, so here a decent steep hill offered more powerful attractions than a road, good steep hill offered more powerful attrac-

tious than a good road, our Infantry, though unable to get through the wall, had at least the advantage of Capt. Abbott's Yahooa.

While at Charikar, Dost Mahomed known then to be in Goolbundi, succeeded in turning our Camp, and in effecting a conjunction with the victorious but wounded Chieftain, the hero of Joolgh, and possessor of Nijrow, and it was now found of importance to secure our rear, we, therefore, still fell back to Karabigh, and here the necessity of the capture of Biboo Kooshgh was debated, and determined on—and now for the first time, during the campaign of Afghanistan, the British Army had the mortification of discovering, that their proud position relative to the enemy was a retrostep only, the men who stormed Ghuznee and Lord Keane, could not now be trusted to carry a bridge defended by fifty Kohistanese. Such was the case, from Karabigh two roads led to Biboo Kooshgh, one short, but defended at a bridge, over a deep ravine, by a body of fifty men in full work on the other side of the bridge, the other long and circuitous, but a good road, and what concerned us more was, that there was no enemy to dispute our passage. The troops marched, the place was deserted, and we entered and subsequently destroyed it and on this night our very Camp was insulted by a ridiculous

happan on the part of the enemy. I will not say that a better selection of ground for our halting, might have been made, but I could not at a time that a worse could not, surround us as we were by, ravines, down which the enemy crept, and by stone walls behind which he secretly loaded his piece to fire it like a blockhead at the moment. He expected nothing, it is true, but we had to stand at once under our arms in his foolish insult, without being able to use the former or prevent the latter with effect, and had his ammunition lasted until morning, so must our patience—as it was, we found two hours *satis superque*.

Even in the distance from our Camp the village of Kardugh was conspicuous, and to it our attention was directed more particularly as it was known to be our next point of attack, while hints were thrown out that Joolgh was a joke to it. Verily the Politicals had turned the tables on us, we felt it the less, as we cannot help acknowledging, that this otherwise disagreeable alternative was effected in a very gentlemanlike style by Sir Alexander Burnes. Well do I remember the day, when our chief projects and efforts were directed to get at our foe, he was now before us, and not a few wished him at least away from where he was. Fight with silver arrows, and you will conquer the world, said the Oracle to Cæsar, and the Latin grammar to us. We resigned our weapons with a sigh, and yielded to Sir Alexander Burnes the merit of purchasing in unopposed possession at the least possible expense; uncertain of his success, we marched on the place and took up a position near it; on that day a small Fort to our left was offered us and strangely refused the enemy took possession of it a few hours after, and had an assault on Kardarah actually taken place, might seriously have annoyed our flank from it; but Sir A. Burnes took Kardarah and took it cheaply; the next day we marched into and found it a

formidable position where brave men would have defended themselves successfully against a mismanaged attack, and opposed to superior numbers and ability would have sold their lives at a great expense and loss to the assailants.

The time thus occupied in securing our rear was not mispent by Dost Mahomed Khan, indeed no better standard of judgment by which to estimate the respective abilities of the heads of the two great parties in Kohistan could be required than the use made by each, of these few days. The British force retreated from Charikar simultaneously, as Dost Mahomed Khan effected his escape from Nijrow. The former to break up by force any combination in his favour among the Chiefs whose possessions lay between Charikar and Cabul the latter, to collect a force to oppose us in the field in which he succeeded perhaps beyond his own expectations, since he left Nijrow at the head of about 3,500 Infantry and 350 Horse. We destroyed certain Forts deserted by the enemy, and if we did inspire terror by our Arms, it is more than might have been hoped, from invariably either avoiding him altogether, or purchasing his retreat when he left disinclined to move without an inducement, or an equivalent in the shape of so many rupees. Not one man was lost to the enemy, or even alarmed, and when we turned our backs on Kardugh, we left as many armed and when we turned our backs on Kardarah, we left as many armed foes in our rear, as on the day we advanced to crush them from Charikar. From the subsequent movements of the force, I conclude that Sir A. Burnes experienced some difficulty in distinctly ascertaining Dost Mahomed's position, at any rate that he should turn our flank and march upon Istid was apprehended; had he succeeded, the small effect our arms had impressed in that neighbourhood would have cost us dear. The movement was first to Bigh Alum, and subsequently upon a Fort of Meer Musjid, and lastly by the best design that had up to that time been meditated upon Farwan, where Sir A. Burnes had good information of his presence at the time, and much feared his sudden departure before we could get up with him. This was the only move that bore the appearance of real earnestness in our wishes to fight him well for our reputation would it have been had we never done so, for I have now to relate a disastrous defeat, a drawn action, and a hasty retreat, all on our side!

I will enter into more detail of this day, than the pithy nature of former operations deserved, not that ours on this occasion were characterised by more decision than formerly, but that the results were most important and contradictory.

The main body arrived shortly after the advance under Colonel Salter had sighted the enemy, part of whom, as we approached had fled from several Forts hitherto occupied by them, and retreated to the main bodies, who occupied a position, which I will attempt to describe, but it will serve no more than to give an indistinct idea, without illustration, by a drawing. A mile to our left was the Fort of Farwan, on its left the Pass of Farwan, and the right of the enemy held a shoulder of the hills at the entrance of this Pass

by a small party, at the interval of a mile their main body held some hills, and to their left, lay the Valley and Pass of Panshere - the distance of this main body from our line of Infantry, being two miles plain country.

Thus on the right of the enemy was the Pass of Purwan, on their left the Pass of Panshere, and to the rear of the main body, (so to be) a precipitous fall, down which the foot of main must descend by slow and cautious steps. Now our left cut off the main body from all retreat by the Parwan Pass; the precipices closed their rear, but the Panshere Pass afforded escape to their left, and Colonel Siltier with the eye of a soldier detached the two Squadrons of the 2nd Cavalry to cut off the last hope of the enemy.

Dost Mahomed no sooner saw the move of our Cavalry, than its importance drew him down, at the head of his horse to do it its object - Advancing down the hill the greater number halted, and remained stationary, the Dost continued accompanied by perhaps 70 horsemen and a few footmen with their matchlocks. General Sile about this time sent to recall Captain Fraser, who however, when the order was delivered, was in front of his foe, whose approach slow but steady, rendered a return an act not to be thought of. The Command to "draw swords" given to our Troopers, appears to have been the signal for the first display of their sad deficiency of spirit at a short interval the enemy's misthick-men delivered their fire, but except Captain Ponsonby shot through the arm, and perhaps Lieutenant Crispin wounded, without effect, after which their Cavalry came on it a steady ambling trot. In vain did our gallant Officers now order the charge, in vain display unshaken firmness, in vain urge, entreat, command; the wretched poltroons, fell out by parties, opened their ranks to the enemy, and finally turned and fled, with shame and dishonor, in their front, and the fire at their backs, dealing the richly merited wounds which their cowardice punished them. Not so, Captains Fraser, Ponsonby and their Officers, who undaunted by the overwhelming number of the enemy, and undismayed by the treacherous desertion of their men fell upon the foe. Of Crispin, of Broadfoot, of Lord, what more can be said - their fall was glorious, of Fraser and Ponsonby, their names are immortal. The Troopers were chased for upwards of a mile, and driven behind the Infantry

The enemy thus masters of the right of their position, displaying their red standard proudly paraded in front of our line, at a distance of above a mile from our main body, at which extraordinary interval, the General ordered his guns to open fire on them, while they slowly pursued their way back towards the Infantry on the hill, and on a spot somewhere between the party occupying the shoulder and the main body, they halted and pitched their flag, - now was the time to have redeemed the day by the advance of our whole force against the enemy's position, but our only effort consisted in the march of two Companies, 37th and two guns against the right resting on the Purwan Pass, a few shots were fired at them with little or no more effect than that of causing

them to retreat on their main body, after which our Infantry held the shoulder. In the meanwhile, the guns were directed to move higher up the valley, but having no support, did not advance beyond a few hundred yards, far enough to have ensured their capture had the enemy attacked them. The whole party was subsequently withdrawn, and thus ended the battle of Purwan, both parties in possession of the ground held by their main armies. Need I say that that gallant Regiment, the 13th, burned to attack, need I say that all were disappointed and dejected at having victory and revenge withheld from them, when they were assuredly theirs, as they were brave men, had the attempt been made. We brought in our wounded, buried the dead, and devoutly hoping we might never see the like again, watched from our camp the burning fires of the enemy, in full anticipation of an attack on our very camp that night.

This affair happened on the 3d ultimo, and on the 3d, General Sile retreated to Chirreh in total ignorance of what had become of his late enemy, but he did not retreat because that enemy had done so before him, but in pursuance of a determination made known to Sir W. Cotton, indeed he was with some difficulty persuaded not to fall back that very night! On that evening, however, a courier was dispatched into Cabul, bearing notes to the General Commanding and to the Envoy, from Sir R. Sile and Sir A. Burnes; the former, briefly stated his intention to fall back on Cabul, and his acquiescence in the views of the latter, who wrote to the Minister his opinion of the necessity of this measure, and requesting that all available Troops should be concentrated at Cabul, and the British Government in a state to resist a siege! Such was the impression left on their minds by the result of the action. A few hours after the delivery of these notes, Dost Mahomed himself surrendered his person to the Envoy in Cabul, and on the 11th, information reached Camp of this important fact. Sir R. Sile now felt that his retreat was most unnecessary, and if do not believe that there was a single Officer of his force, who did not from the first clearly and distinctly see, that in this act he compromised both the character of the Army and the safety of the Government.

With a force equal in number, immeasurably superior in discipline, arms and courage to the enemy, with 8 pieces of Artillery against not one, he suffered his Cavalry to be defeated without a struggle to wipe out the stain, and finally retreated from a foe, who had themselves retired un molested!

I have trespasssed on our paper more than I should, in my next I will generally review this brief campaign and its effects on our reputation here, I shall then as shortly as I can, let your readers know why Dost Mahomed came in; and who has most share in the credit of forcing him to this step.

Yours obediently,

PHILO-CONSERVATIVE,

BRITISH COMMERCE WITH JAVA.

On the former occasion we fully exposed the shameful state of our commercial relations with Java and the Dutch Indies; we pointed the inexpressible folly of our Government in giving up to Holland a rich and flourishing possession which was fairly ours, we commented upon the base conduct of that power, which in return for the gift had broken through a treaty guaranteeing our trade with these islands upon the principle of "reciprocity," and on the same terms "as the most favoured nations," and we remarked upon the flippant and apathetic replies of Lord Palmerston, in answer to the representations and remonstrances of our merchants at home. In the deliberate violation of a treaty by which great injury is done to British commerce, the Minister can see "no ground for interference on our part," and that the reciprocities stipulated for will be granted, he considers a matter "of course," although it is notorious that they have systematically been withheld, and that nothing but spirited conduct on the part of our Government will ever be able to obtain them.

In our last number we extracted an able article on this subject from the *Singapore Free Press*, which fully proves that the proceedings in Parliament which we had previously commented upon are a "mortifying evidence of the inattention and neglect which the interests of British Trade in the Eastern Archipelago, receives at home, at the hands of those whose duty it is to watch over and protect those interests." The gross violation of our commercial treaty on the part of Holland is fully proved by our contemporary, while at the same time the glaring fallacy is shown, of Lord Palmerston's very complacent assertion that "there was no ground for supposing that the proceedings of the Dutch authorities would prove injurious to British commerce"—a fallacy which gross as it was, seems to have had the temporary effect of satisfying the House of Commons. As regards the "injury to British commerce" by these proceedings, Lord Palmerston seems to have forgotten the statement of the Singapore merchants themselves, in a petition addressed three years ago to the late King in Council, on the subject. On this petition the following is one of the passages; after referring to a prohibition of the Dutch Government in 1831, to admit British goods to be imported into any but the ports of Batavia, Samarang and Sourabaya, in the island of Java, the effects of this prohibition are thus declared—

"By the last mentioned act of the Government of Netherlands India, British cotton and woollen manufactures are excluded from all ports in the Islands of Sumatra, Banca, Borneo, and Celebes subject to the Dutch Government, their consumption is thus to a very great extent checked and

limited throughout these extensive territories, and the date of this place thereby most materially injured."

In what manner does Lord Palmerston reconcile this wholesale exclusion of our staple manufactures from the Dutch Indies, with his absurd declaration of the proceedings of the Dutch Government "not being injurious" to British commerce? In what manner does he reconcile it with that "most perfect freedom of trade between the subjects of the two crowns and their respective dependencies in that part of the world," which England has right to insist upon, by the terms of a formal commercial treaty with Holland? Is this absurd and self complacent mode of explaining away and smoothing, infractions of treaties ruinous to our commerce, consistent with the duty of a Minister of the Crown, whose peculiar office it is to watch over and protect our national interests? These are questions of no inconsiderable importance which we would desire to see asked in Parliament, by some member of the Legislature, thoroughly acquainted with the state of affairs in the Dutch Netherlands and our Eastern settlements; and not to be diverted from his purpose by an evasive or off hand reply, the result of ignorance, neglect, or apathy. Surely it is not to be borne after our having bestowed upon Holland in the Island of Java, perhaps the most splendid gift which one country ever yet made to another; that she is to be allowed to fly in the face of her own voluntary treaties, for the maintenance of reciprocal commercial relations with that very settlement, and thus inflict in return a serious injury upon the commerce of England. A quiet acquiescence in injuries like this, would soon strip us of wealth and commerce altogether notwithstanding the wretched sophistry of our Foreign Secretary who can see in such proceedings "no injury to British commerce."

Our splendid Eastern Empire entails of course enormous Naval, Military and Civil charges, and in order to support this indispensable outlay upon that liberal scale which is essential to an effective maintenance of our power, every practicable advantage must be given to our commerce. It must be encouraged to spread its operations throughout every Eastern nation, which is disposed to reciprocate with us, in the mutual advantage of an interchange of manufactures and productions, nor must we admit its free course to be impeded by the insolence and caprice of a petty power, which has bound itself by solemn treaty to a totally opposite conduct. If Lord Palmerston is inclined to turn a deaf ear upon the representations of our merchants, they must be impressed upon him again and again, in terms more forcible, till he is absolutely compelled to do justice to the merits of the case. — *Madras Spectator*, August, 1.

CIVIL SERVICE ANNUITY.

PROTEST.

The undersigned observe that, in reference to a general meeting of Subscribers to the Civil Service Annuity Fund, held in Calcutta, on the 1st January 1841, the following proceedings are published as having taken place:

"A question having arisen as to whether the note to rule XI., which requires the declaration of acceptance of Annuity to be upon honor was to be considered as having the same force as a rule, and equally binding on every retiring member; the Secretary reported to the meeting that the Managers had recently considered the same point, and had come to the conclusion that the note in question was to all intents and purposes an effective regulation of the fund, and indeed, part and parcel of rule XI. This decision had been founded on the fact, that the clause which now appears as a note of rule 10 was originally advertised,* proposed and carried at a general meeting held on the 2d of January 1826, as a "rule," and finally sanctioned by the Honorable Court, in their dispatch of 30th May 1827, in these words, "We approve of the proposed Regulation, requiring that declaration of the willingness of any Subscriber to take the Annuity shall be stated upon honor."

"The meeting agreed in the view taken by the Committee of Management of the force of the note in question, but were of opinion that the note should be embodied in a rule. Accordingly, the following resolution proposed by Mr. Parker, seconded by Mr. Bushby, was unanimously carried

Resolved—That the Managers be requested "to have the rules of the Fund, as they now stand, reprinted—the notes which have been approved by the Honorable the Court of Directors, as addition to the rules, being embodied in the same."

The undersigned, for the following reasons, object to the proceedings above mentioned, connected with the alteration proposed in the form of the present code of rules, and protest against their adoption as resolved by the meeting.

1. Because as a general principle no essential alteration or addition can be made in the rules of the fund, either by the managers or a general meeting of subscribers held in Calcutta, unless on reference to the service, and in the manner prescribed by the rules of the fund. Such reference has not in this case been made, and the form of proceeding, otherwise prescribed by the rules, has been set aside.

2. Because, applying to the individual case in which the managers declare, that they "had come to the conclusion that the note appended

to rule 11 was to all intents and purposes, an effective regulation of the fund, and indeed part and parcel of rule 11;" yet the undersigned remark that whatever may have been originally intended as to the note now appended to rule 11, forming part of that rule, or being embodied as a separate rule, yet the note not having in 1828 been placed among the new code of rules then published, and having then been adopted as a mere explanatory note: (and thus, it is evident, in intention and meaning in no way altering the real and fair construction of rule 11) it not only was not competent to the meeting held on the 14th January 1841, without the consent of or reference to their fellow servants, to alter what has thus formally, in its present shape, been adopted during a period of 13 years by the service, and has no doubt in that shape been forwarded to the Court of Directors, and thus must be considered the charter of the fund; but it appears to the undersigned, as far as can be made out from the published proceedings of the meeting on the 1st January, that the whole state of the case was not before the subscribers who attended the meeting, and if so, they were incompetent to judge of the merits of the case.

3. Because, in the proceedings of the meeting it is stated, that the Court of Directors, on the 30th May 1827, "approved the proposed regulation, requiring declaration of the willingness of any subscriber to take the Annuity shall be stated on honor," but no mention is made of the order as follows by the Hon'ble Court in the same dispatch, viz. "it is unnecessary to make any alteration in the Regulation, which requires that a servant having signified his acceptance of an annuity shall, nevertheless, forfeit his right to it

The rule is more full— if he fail to resign the service on or before the 1st of July of the year, with which the annuity may be appointed to commence," thus pointedly maintaining in full

force, the power given by rule 15 eventually, and previously to the date of actual resignation, to withdraw the application.

4. Because, contrary to this clear declaration of the Court of Directors, and contrary, as the undersigned contend, to the clear and undoubted meaning in letter and spirit of rule 15, coupled with rule 11, the managers, it is understood, in the case referred to in the published proceedings of the meeting of the 1st January, 1841, have put a construction on the note, (which the meeting determine shall now be added to rule 11,) which in the opinion of the undersigned is contrary to the letter and essence of the rules of the fund and to all fair rules of construction, viz. that

* Voted at the meeting of Managers, held 11th Nov. 1825, resolved and advertised same date, confirmed and carried at special general meeting of Subscribers held 2d Jan'y. 1826, and obtained sanction of the Honorable Court, under date 30th May, 1827.

† Vide more particularly rule 26.

* Construction of the note appended to rule 11 as given by the managers in the case alluded to at the meeting of the 1st Jan'y, 1841.

THE CASE OF TUANKO MAHOMMED SAAD.

TO THE RIGHT HON'BLE GEORGE, LORD AUCKLAND.

My Lord.—It is with no factious views, nor with any intention of raising a vexatious clamour against your Government, that I address you on the subject of the treatment which has been, and is now, inflicted upon the unhappy Quedah Prince, and his unfortunate country. My sole object is to point out, clearly and distinctly, to your Lordship's attention, that in the present instance, the policy of expediency, is strictly in accordance with a dignified, open, and courageous bearing; and that in this instance, it is impossible to have recourse to evasion, without departing from true policy. My Lord, by bringing the Malay Prince within the jurisdiction of the Supreme Court, you either courted the interference of that tribunal, or you defied it. You either acted on the conviction that the imprisonment of the Malay Prince could be justified; or you intimated your disregard of the Supreme Court altogether. Until the writ of *Habeas Corpus* was awarded, I was willing to hope, that the former principle was that which induced you to bring the Quedah Prince within the jurisdiction of the Court; but when I find that the instant the writ is awarded, this unhappy prisoner is secretly carried away, what is the inference that the world will at once arrive at? My Lord, I regret to be obliged to state it, but the clear and direct inference that *must* be drawn from such a proceeding is, that the case is too bad to bear the face of day, and, *therefore*, was the Malay Prince smuggled away, the instant it was discovered that he was under the protection of the Supreme Court. My Lord, the object of my addressing you is to point out, how far more wise and expedient it will be, to do justice to this unhappy Prince, and his country, than to allow an impression to prevail, that the treatment they have received is too bad to bear the light.

My Lord, under the Government of this good and brave but unfortunate Prince, and that of his ancestors, so long as British faith was kept with them—that faith let me not say *bought* but propitiated by a cession of the island of Pinang and a large tract of adjacent territory,—Quedah was a happy and flourishing country, well cultivated, and most productive, and containing a population of nearly 200,000 inhabitants, a brave and flourishing people, to whom religion and civilization were not unknown, who cultivated commerce, and who afforded a rising and valuable market for our home manufactures. Is this a time, My Lord, when England will approve the renunciation, or the annihilation of a market for her starring manufacturers? But, My Lord, to whom has this once happy and flourishing country been delivered over?—for whom, have we slaughtered her sons, and kidnapped her princes? For a race of idolatrous barbarians, to whom civilization is unknown, who cultivate no arts or sciences, and who despise alike our religion, our arts, and our manufactures. Will England, my Lord, approve

the act of kidnapping a brave and friendly prince in subservency to such a race? I say *friendly*, for such, *all* the princes of Quedah have ever desired to be—but we would not. We abandoned them to the Siamese, at a time when we were afraid of the latter power; but is *that* a reason, my Lord, that should induce us to continue to persecute them, when we have no manner of reason to fear the Siamese?

But there is another consideration, my Lord, which will not want voice in England to make it known. Since, in breach of the treaty with Quedah, under which we obtained Pinang, we have sided with the Siamese in reducing Quedah to the subjection of that power, upwards of 10,000 of the inhabitants have been *carried off into slavery*!!! and by this means, and by a series of atrocities too horrible to the told, the population has been reduced to 4,000. Let it not be said, my Lord, that because these things have been done, *therefore* they must be persevered in. Let it not be said, that because these things have been done, it is *therefore* politic and expedient to have recourse to the meanness of absconding from justice, in order to enable us to persevere in them.

The unavoidable inference from the course of evasion which has been adopted, is that your Lordship has no right, by any law whatever, to detain this Malay Prince a prisoner. It is easy to say that he is a prisoner of war—but prisoners of war, are made under the laws of war, and in this case there is not a shadow of ground to support the assertion, that your captive, is a prisoner of war. He was treacherously kidnapped, as treacherously put on trial, in the hopes of getting him hanged, and his name and cause disgraced—and now he has been kidnapped a second time.

My Lord, the honor of the British character is in your hands.—I wish not to speak severely, but I must in such a case, speak the truth. By persevering in the course you have adopted, the British name will be degraded and disgraced all over the world. By adopting an opposite course, you may redress the vast mischief and cruel injuries that have been perpetrated against this unhappy Malay Prince and his country, and you may restore a once flourishing and friendly country to its former happy and prosperous condition, thereby re-opening a valuable Market for British commodities, and you may put a stop to a most atrocious slave trade, to which the connivance and co-operation of British power has given birth in the East.

I have the honor to remain,

Your Lordship's obedient Servant,

C. THACKERAY.

Hulk. March 9, 1841.

We have a painful duty to perform. We are friends—we have ever, we hope, shewn ourselves the staunchest friends of this Government. If we have pointed out, what we conceived to be errors, we have done so, we can conscientiously say, with a view to strengthen not to weaken—to warn, not to harass. In the same spirit do we now conjure this Government, to attend to the letter of Mr. Thackeray, published in another portion of our Journal. It is impossible that that gentleman, an experienced lawyer—would jeopardize himself and our journal, by publishing such a statement, were it not true—and it is impossible that any Government can oppose itself successfully to such truth. Nor is it possible to evade it. The crisis is arrived. The Government of India must bring forward the Quedah question, and that question must be determined. And why should this Government fear it? If no injustice has been done, the Government can fearlessly meet the case—look, as Mr. Thackeray says, the Supreme Court in the face, and justify its acts before a tribunal whose decision no power on earth will dare to question. On the other hand, if injustice has been done to these unfortunate Quedah Princes, England and India need not have recourse to cowardly subterfuge. England and British India, can afford to say—“Injustice has been done under our name and authority, but we can redress, and we will redress.” We do entreat the Government to think well of this, and not to place itself in a degrading position. It is no secret that there are dreadful facts connected with our cession of Quedah to the diabolical sway of the Siamcese. We, as Englishmen, must bear our portion of the obloquy attached to those deeds, but we will not, cannot, bear the additional obloquy of the accusation that, having tolerated these deeds, we have had the meanness to run away from justice. We entreat the Government to reflect that they have the honor of the British character in trust, and that by fleeing from a Court of British judicature, after having voluntarily come within its jurisdiction, they do, in the face of all the world, plead guilty, to whatever charges are brought against them, in respect of their unhappy prisoner. It may have been a great political blunder, to try his unfortunate Prince, who had been nobly fighting for his country's freedom, for a disgraceful crime. It may have been a great blunder to bring him within the jurisdiction of the Supreme Court—with those blunders we have nothing to do, or say—all that we see is, a powerful British Government running away from justice. We repeat, that it is with pain and grief that we say these things, but we must forfeit our character, if we said them not. As Englishmen, and on behalf of our country, we implore this Government not to degrade the name of Great Britain, the hitherto champion of freedom all over the world, by persevering in so disgraceful a proceeding, as that of flying from justice—on a charge of false imprisonment. In the name of God, be the Quedah case whatever it may, let us not, by a disgraceful and cowardly subterfuge, seek to screen it from the light of day. To do that *now*, in fact, is impossible. The sight of a British Government running away from a British tribunal of justice, and escaping, like a conscience-stricken and self-convicted felon, against whom a writ has been legally issued, will attract the gaze, the wonder,

the dismay of every friend of freedom in the world—the scorn, the delight, and triumph of all her foes—once more, we implore the Government to assume a bold and manly bearing, and meet this case in Court—or set their prisoner free.—*Hark. March 9.*

There seems but one opinion, on the part of the press, regarding the doings in the matter of the habeas corpus writ for the production in Court of Twankoo Mahomed Saad, but the *Eastern Star* has mention of a rumour which, if at all well founded, demands further investigation, but the extent and precise nature of which we do not, for our own parts, at present understand. In one of the Notes of the Week, which takes up the subject of the writ in a spirit of becoming indignation, there occurs the following remark:—“It is said that Captain Johnson went on board and received charge of the prisoner. Captain Johnson is a servant of the Government, and he took him from a Company's vessel; *ergo*, it is most probable—of course I might say certain—that he was authorised by Government in what he did. *More is said, which it is as well for the credit of all concerned should not be believed; viz., that the perfecting of the writ was delayed, after being granted by the Court, and that the same could not be served until Tuesday morning.*” The sentence which we have put in italics is that part of the extract to which we would fain call public attention, in order that sufficient particulars may be elicited to inform the public *who* it was, that delayed the perfecting of the writ, and thus conspired to defeat its object. Our own first impression was that the delay in serving it was wholly owing to the dilatoriness of the attorney, or the Counsel engaged in the procurement of it; or if not to their dilatoriness, at all events to some sort of mismanagement, for which they alone were to blame; but here appears to be a charge against some functionary of the Court—a charge which, if at all correct, must involve him in a most heavy responsibility, and one which it behoves Mr. Thackeray at least, after the public manner in which (most commendably, we think) he has pledged himself to carry through this case, to pursue and investigate up to the point of that condign punishment which must necessarily follow a bringing home of either guilty connivance, or mere neglect of duty, in whoever is the party whose misfeasance delayed the completion of the order. We do not agree in the further remark of the note-writer in the *Star*, that—“There is nothing in this [delay of perfecting the writ] if the prisoner was removed before the writ was applied for;” because we think that the successful evasion of the legal process by any other means, in no degree excuses any officer of the Court for delaying his own part of the duty connected with so important a procedure as a writ of habeas corpus,—and, in cases like this, a procedure of which *promptness of execution* was the principal virtue. The apathy of the Calcutta public in this matter is very much to be deplored, but it is, we fear, characteristic, and therefore England must be looked to as the place of redress,—for certainly if such a thing had transpired in England,—if the Government *there* had ventured to smuggle away any individual obnoxious to it, in order to avoid a writ of habeas corpus,—the whole kingdom would

have rung with the fury of the people, and the Government which ventured upon the device, would not have stood a week. Moreover, we are of strong belief, that such an occurrence, by demonstrating the inefficiency of the habeas corpus law, as it stands, would have forthwith occasioned an improvement in that law, by giving power to compel any one, in whose custody the prisoner was known to have been, when the writ was applied for, to afford the fullest information in his power, regarding by whom, and in what manner, and under what authority, the party was taken out of his custody, and where he was taken to; and making it penal for any one to attempt a removal of a party so situated, without leaving with his late custodian the simplest information of where he was to be taken to, and without supplying such person with such reasons for taking the prisoner elsewhere, as should satisfy the Court that the removal was made under motives and circumstances unconnected with any desire to baffle the law, and only with a view to the more convenient, but not the harsher, custody of the prisoner. In a word, it is quite clear that the habeas corpus law is imperfect, and that it ought to afford many more facilities than it is now found to do, for compelling the production of any person sworn to be forcibly kept confined, and be so reformed as to hold responsible the party in whose custody the restrained person was last known to be, until that party traced him. Why, under the now proved, practical impotentiality of the habeas corpus act, what is there, we should like to know, in it, to prevent the Government from seizing and keeping in custody Mr. Thackeray himself, in order to put an end to his threatened activity in exposing the alleged iniquity of the Quedah Prince's case? Suppose him forcibly carried on board a Company's steamer; well, a writ of habeas corpus is applied for; some (perhaps needless) objection is first of all taken by the Court to the affidavit, by which a little delay is caused, and eventually the *perfecting* of the writ is delayed for four and twenty, eight and forty hours; at last it is served on the commander of the steamer, who returns to it that no such person as Mr. Thackeray was in his custody *when* it was served upon him, nor *since* it was served;—Mr. T. having timously been taken off by some other servant of the Government to—no one knows where. What, is there in all this, a bit more difficult to do than was to do in the case of Tuan-koo Mahommed Saad? The detainee being an Englishman might, perhaps, stir up the Calcutta public a little, on the principle of the 'proximur ardet, Ucalegon;' but the habeas corpus would be ineffectual, and the Englishman, like the Malay, might be incarcerated till the arm of Parliament should be stretched across the ocean to restore him to liberty. We can easily imagine the difficulties which the Government of India feels itself in, in regard to the Prince's case—political difficulties of which the *present* Government had nothing to do in the creation. Difficulties caused by existing treaties—iniquitous ones, perhaps, but still such as it is bound to observe, pending a reference to the higher powers in England; and we can easily imagine that the decision of the Supreme Court, in such a case, might seriously clash with the political position in which the Government is placed. But still it had been the more dignified course to

have either made a return declaring the prisoner in custody by authority of Government, as a prisoner of war—which might have been a sufficient return in law, though we doubt if he be a prisoner of war by the laws of nations—or else to have produced him in Court and argued the matter broadly. The subject can not rest as it now is, and we shall, therefore, doubtless have occasion to re-discuss it.—*Englishman*, March 9.

The *Hurkaru* and the *Englishman* have, in our opinion, taken such an erroneous view of the late proceeding on the Writ of Habeas Corpus, issued in the case of Tuan-koo Mahommed Saad, that we think ourselves called upon to state, as publicly as they have, our view of the case. It is a very imposing period which states that "the very moment the award of the Writ has passed, the party in whose favor it is awarded, is in the protection of the Court," and is as true as it would be to say that a man is in custody the moment a writ is issued against him. We believe it will be found to be the Law that the only legal notice of a Writ of Habeas Corpus having issued is its service upon the party to whom it is directed—and even if Mr. Thackeray went himself and told Capt. Congleton that he had obtained the Writ, and that it was coming, it was no notice in the eye of the Law, and that, not having been served with the Writ, Capt. Congleton was quite justified in obeying the Governmental order with which Capt. Johnston was furnished.

As to the part which Government took in the removal of the prisoner, we think it was in every way the most judicious. If they had feared a scrutiny into the legality of their conduct the last place they would have brought him to is Calcutta, directly under the nose of the Supreme Court, and, moreover, we happen to know that the order for Tuan-koo Mahommed Saad's removal, to Berhampore, was issued some day or two before the application for the Writ of Habeas Corpus was made. There was no hasty shrinking from the coming process; the *Diana* arrived on the 18th of February, and it was not until about the 26th of that month, that the order for Mahommed Saad's removal to Berhampore was issued in due course. They neither hastened nor retarded their proceedings, and it was tardiness ~~on the part of~~ Mahommed Saad's friends which alone prevented his being brought before the Supreme Court.

But, suppose that (contrary to the fact) the order for the prisoner's removal had been issued in consequence of the application for the Writ—still, we think, the Government would have acted judiciously, for no Government, that can avoid it, ever submits its political acts towards a foreign power to the scrutiny of its own law courts. As the executive our Government would have done right to decline such submission, knowing that its acts are open to a stern supervision by a higher authority at home—the Houses of Parliament. The Government asserts its right to detain Mahommed Saad as prisoner of war—as such, he is not even entitled to the Writ of Habeas Corpus, and we think it would have been indiscreet, not to say undignified, to have waited

The tardy pleasure of the other party, for no other purpose than to submit the decision of this point to the judgment of an inferior tribunal. It might have led to much embarrassment, and to a collision between the Government and the Supreme Court, which could have proceeded to no satisfactory conclusion here.

We have, before this, fully and firmly expressed our opinion, that the treatment which the Quedah Prince has received from our Government is harsh and unjust, but that has nothing to do with the present question. They have adopted a line of policy, which they think right, and for which they are amenable only to the higher powers in England. In pursuance of that policy they have brought the Prince as a state prisoner to this country, and we think they were quite right not to risk any embarrassment of the main question by submitting to have the judgment of a law court upon what is merely a collateral proceeding.—*Courier March 13.*

To the Editor of the Bengal Hurkaru.

SIR,—Considerable excitement has lately taken place in consequence of the proceedings instituted against this unfortunate individual. How far the views taken of affairs by the papers of the day may or may not be correct, I am unable to say, when viewed as a legal question. The lengthy reports of the arguments of the counsel and proceedings altogether, as given in the papers, must have been, I suppose, very interesting to the public; or, doubtless, they would not have been persevered in to such an unusual extent.

The burst of indignation evinced in the paper copied into the *Hurkaru* of the 8th instant, from the *Herald*, and headed THE KIDNAPPED PRINCE, is, I think, the usual measure of energy displayed in any former observations. It is difficult, perhaps, to discover by what law Princes, and other eminent persons, are often times kept in confinement; but, right or wrong, it has been the custom of state policy in India, as well as in Europe, to restrain persons of eminence, who have been very troublesome to the paramount power. Whether the thing be just or not, it has, at least, been pretty generally acquiesced in by mankind, when a greater evil is to be avoided. Should the removal of the unfortunate Prince in question be found to have originated with the Indian Government, even with the full knowledge of all the proceedings in the Supreme Court, still the case is not at all an unusual occurrence in our history. At the time that Napoleon arrived, after his surrender, in the summer of 1815, on the shores of old England, and thus came within the operation of our laws, a motion, according to Scott, was made in the Court of King's Bench, for a writ of *Habeas Corpus*, to produce the body of Napoleon Buonaparte, &c., &c., with all the other &c's. Well, what did the Government do? They, without ceremony, ordered off the Ex Emperor and all his suit to St. Helena, without delay, for no other reason than to prevent the writ being served on

the Commander of the ship on board of which Napoleon then was.

By what law Buonaparte was retained a prisoner at the rock of St. Helena he often wished to know. A prisoner of War he certainly could not be, as in that case he ought to have been set at liberty at the general peace. By what law is Dost Mahomed held? Like Napoleon, he was an independent Sovereign: the one defended, by right of war, his dominions when attacked, and the other invaded, by the same right, the territories of his neighbour, the French King, and, as he used pitifully to express it, "beat him with six hundred men."

Dost Mahomed, should he visit the good people of Calcutta under any restraint, will have the same right to a writ of *Habeas Corpus* as Napoleon or the unfortunate Quedah Prince, and no doubt some Barrister of the Supreme Court will move in his behalf on his arrival, and thus reap more laurels in the cause of equal laws and impartial justice.

Yours,

D. C. B.

Balassore, March 9, 1841

The application on behalf of Tuanko Mahomed Saad, has been rejected by the Supreme Court, and we do not hesitate to say, that we are sorry for it, on many considerations, both as affecting the Court itself, and the Government. We should deeply regret that the Government should come into collision with the Supreme Court, but we should much more deeply regret that an opinion should go forth, that the Supreme Court, instead of being in collision with the Government, is in collision with it, in a case where injustice is perpetrating. The case in question will be calmly and temperately considered by the public, who will reflect that human passions are in operation, both at the bar and on the Bench, and are not uninfluential in the councils of state. They will make all due allowance for the warmth of an advocate, and they will distinguish the real merits of his cause, from his partial representation; and they will likewise reflect that the Bench *may*, without any consciousness of their own, be influenced by a prejudice, injurious to the cause of justice, arising out of considerations that are in themselves most laudable. In the present instance, we have a case in which no rational man will deny that gross injustice has been done, and is now doing, to an innocent man. It has been distinctly made out, that he was within the jurisdiction of the Supreme Court, and that as soon as the process of the Court was awarded, for his protection, and before it could be served, he was removed from out of the reach of such process, clandestinely. Now, it is certainly sworn that the Government had intended to remove him long before, and that they did so at last, in conformity with such intention. Why then remove him clandestinely? Surely it would have been far more becoming the dignity of the Government, to have delayed the sailing of the *Jellinghes* for one single day, than to treat the process of the Court with contempt. It is vain to say that the Government had,

not formal notice of the writ. We think that the good of India, by necessarily operating to de-
 the principle is incontrovertible, that the know- ter British subjects from placing themselves with-
 ledge of their legal council is their own knowledge, in reach of a Government, from whose possible
 id that to act in direct opposition to an order of mistaken fears and jealousies, they can no longer
 the Court, made in the presence of their own look to the protection of a British Court of justice.
 law-officers, is to act plainly and palpably in a We do not, of course, affect to determine, whether
 contemptuous way towards the Court. And we the Court has put up with an affront or not—all that
 cannot but regret to say, that the Court have we apprehend is, that the general belief will be
 manifested the same conviction—without per- that it has, and consequently, that men will
 severing in the vindication of their own au- no longer look to it for that protection which
 thority. No man, whether upon a bench, or upon they have expected at its hands hitherto. Upon the
 a stool, likes to be treated with contempt; but it consequences of such a general impression, we al-
 is a lamentable case, indeed, when a man has most fear to dwell. We fear that in this whole
 been treated with contempt, and yet feels himself proceeding, it will be thought both here and at
 compelled to explain away such contempt, home, that both the Government and the Court
 and persuade the world that he has been have forgotten to respect themselves, the former
 treated with respect. This is humiliating in- by clandestinely removing a prisoner from the
 deed. But let us examine how the mat- protection of the Court; the latter, by tacitly
 ter stands. The Advocate-General denies the acquiescing in such a clandestine measure. We
 position that an order of the Court is an abstract repeat the word clandestine, in justice to a very
 principle, and distinctly asserts that a piece of respectable man, Mr. Graham, one of the solic-
 parchment and a seal are requisite to give it ef- itors of the Court, who has generously and ably
 ficacy. But what is rule and authority altogether come forward and acted on behalf of the unfor-
 but an abstract principle? of which the mere me- tunate Quedah prince, because the words of the
 chanical symbols are but the material instrument Court were calculated to convey an impression
 that that gentleman had improperly charged Cap-
 tain Johnston with secretly removing his prisoner
 to some place unknown. It is distinctly stated,
 by the Quedah Prince's counsel,—whose word
 if would be absurd to affect to doubt, that after
 Captain Johnston had taken away his prisoner,
 he was distinctly and formally applied to by
 such Counsel, as to where his prisoner had been
 conveyed to, and that he directly denied all know-
 ledge or recollection of the matter. To say that
 a party who is thus secreted from communication
 from his Counsel and adviser, is not "clandes-
 tinely" removed, because the party who removes
 him afterwards comes forward and swears that
 he is sent to Allahabad, is contradictory.
 There is one further point that we must
 notice. The Court, in passing its decision, expressed
 some indignation at the conduct of the Coun-
 sel and Attorney for the Quedah Prince, in hav-
 ing proceeded against Captain Johnstone, when
 they might have followed their client to Allaha-
 bad; but how was this possible before they com-
 pelled Captain Johnston to tell where he had
 sent him? We say this much in baro justice
 to Mr. Graham, because we think that every one
 has a common interest, in defending the charac-
 ter and conduct of a professional man, who gener-
 ously and fearlessly comes forward to lend his
 professional aid, in the defence of the injured and
 oppressed. With respect to following a prisoner
 of Government to Allahabad, the supposition in-
 judicious. From Allahabad he might be followed
 to Meerut; from Meerut to Cabool, and from
 Cabool to Colombo, and then his captors might
 cry *Da Capo*, and commence the chase afresh,
 whilst the Court offered its tardy aid in discover-
 ing too late each stage of removal.—*Hurkaru*,
 March 17.

What is the Court itself called but the "voice"
 of the law—and we think that the position is per-
 fectly convincing, that the moment that that voice
 has uttered its fiat, the law so pronounced is in
 full operation. If this be so, we think that the
 further position, that to disobey that voice, whe-
 ther by a Government or an individual, is a direct
 contempt. This is, indeed, recognized by the
 Court itself in the case of a motion for an injunc-
 tion to restrain an individual from doing a certain
 act. It is admitted that if a party is in Court,
 and hears the Court award an injunction against
 him, he is guilty of a contempt, if he acts in op-
 position to it, whether he is formally served with
 the parchment and sealing wax of the Court or not.
 The Court, in the present instance, denied the
 analogy, because that was a civil process, and that
 a motion for contempt for eluding a writ of
Habeas Corpus is a criminal matter. We must
 say, that in our opinion, the reasoning is clearly the
 other way, and that if the Court consider it a con-
 tempt of its authority, to act contrary to its injunc-
 tions, after oral knowledge, in a case in which
 mere property is concerned, *a fortiori* must it con-
 sider it a contempt to act contrary to its injunction,
 after oral knowledge, in a case where personal li-
 berty is concerned. We have no doubt that the
 Court do not like to be treated with contempt. No
 one does. But what we are apprehensive of is,
 that the opinion will be, not only that the Court
 has been treated with contempt, but that it has
 condescended to endeavour to explain away such
 contempt, by a sophism, which, as the lawyers
 themselves say, "will not hold water." We speak in
 great sincerity, when we express our regret at such
 a result, because we are apprehensive, that the
 impression which will unavoidably be made, will
 be that the Supreme Court of British judicature
 in India, is—we do not say it—but, we fear, that
 it will be said—not in collusion with the Govern-
 ment of India, against the interests of personal
 liberty. We sincerely deplore that such an ap-
 prehension should go forth, as it must tend more
 than any other possible consideration, to retard

The application on the alleged contempt case
 concerning Tuankoo Mahomed Saad, has met, in
 failure, the fate which we always thought was
 destined for it before the Supreme Court; but
 though we lament this, on the public grounds of

the question, we have no fault to find with the decision of the Court, in either a legal or a constitutional point of view. Our former proposition that the Habeas Corpus law should be amended, so as to render it more extensive in the sphere of its operation, is proof enough that we did not consider it at present so potential as to bring the merely ministerial procedure of Captains Congleton and Johnstone within the penalty of any of its provisions. What occasioned the delay in the completion of the writ has not yet been explained, but as that delay prevented its being served, or being in fact practically a writ at all, for the time, it is certain that there was no contempt of Court, though as certain that there was an intended *evasion* of its process. In a professional sense, in truth, the affair seems to have been but indifferently managed, for not only was there great delay, but Captain Congleton has sworn that though the Attorney for the captive went on board and told him, the Captain, that the writ had been granted, yet the true nature and object of the writ was never explained to him, nor was he made aware that the removal of the party would prevent its operation! There was too much previous talk and too little prompt action, we fear, and if no one in particular be to blame for this, it is no less true that the Prince's cause has suffered by it; for it was not at all likely that Government, having been clearly informed by the papers that such a plan was contemplated, would quietly await a consummation which might have very much embarrassed it. A course of proceeding to avoid this dilemma, which partook of an evasive character, was certainly not the most dignified course that could have been adopted; but it was an *effectual* one, and it owed its efficiency to the Fabian course of those who were acting in behalf of the prisoner. The evasive character of the plan pursued to render the writ inoperative, is not much refuted by the Affidavit of Captain Johnston, who swears that he put the Prince on board the *Jellinghee*, which proceeded up the river on the 2d of March, and which had been long advertised to sail on the preceding day,—for was it ever made publicly known that the Prince was put on board of her? As to the letter (which we republish) in the *Hurkaru* of yesterday, signed D. C. B., its arguments are totally worthless, and its instances completely out of point, for justifying the *method* adopted by Government for getting the prisoner out of the way. Buonaparte at the time he was in the British jurisdiction, was indisputably a prisoner of war, whether after the peace he retained that character or not, and had surrendered himself as such voluntarily: but if the British Government had decided in trying him on a charge of piracy, or the French Government on one of treason, or rebellion, and he had been regularly acquitted of the charge, they could not justly have afterwards seized him (no new offence committed) and converted him into either a prisoner of war or a state prisoner,—and yet this had been a weaker case than that of Mohammed Saad, for Buonaparte could have urged no title whatever to the rights of an independent Prince, and could have shown no treaties, broken or disregarded, to his ruin, by his captors. So with Dost Mahomed. He gave himself up as a prisoner of war, and

voluntarily entered into conditions with our accredited diplomatic agent, under which he consented to become a resident, under surveillance, within our provinces, in order to avoid the still harsher fate to which, by the laws of war and of nations, he had become obnoxious; but the Quedah Prince is in none of these positions. He consented to nothing save what the treaties between the Company and his family laid down; he leagued with none of our enemies, he intrigued not to our detriment, he did nothing but what our injustice and aggression compelled him to do; and when he was acquitted by our own laws, before our own tribunals, and by a constitutional Jury, of the only crime we charged him withal, we really know not by what law of nations or of nature, or by what legal, moral, or political justice he was subsequently made a captive.—*Englishman*, March. 17.

Yesterday we promised to place before our readers a summary of documents relative to Quedah, which certainly place the conduct of the Supreme Government towards that country in a much more favorable point of view than any in which it has hitherto appeared. We will proceed through them regularly. From these we gather that Quedah, or Kedah, is the only Malay state for which the Siamese have a distinct name, it being known to them as Moong Srai, or Country of Srai. In 1626 the King of Quedah had placed himself under the protection of the King of Siam, to obtain succor against the Acheneese, and Quedah remained tributary to Siam until some time between the years 1695 and 1720. Before 1785 it had again been conquered by the Siamese, and Mr. James Scott, writing in that year to the Governor-General says, that the Siamese monarch had entirely "unreclaimed" the whole Malay peninsula; and a French missionary, writing about the same time, states that Quedah was then dependant on Siam, that it was peopled by Siamese, and that their language prevailed over the Malay.

In 1786, about the time the British Government formed an establishment at Prince of Wales' Island, the King of Siam came down to Singora in the vicinity of the Malay states, and adopted measures for effectually securing the supremacy of Siam over them, summoning the Kings of Patani, Quedah and Tsingano to do personal homage; and laying waste the country of the first, for sending an uncourteous reply. Mr. Light, the founder of the establishment of Prince of Wales' Island, states, that no sooner had the Siamese recovered the places they had lost, than they resolved to call to account all the neighbouring states which had not given the Siamese aid against the Burmese, and that the King of Quedah had avoided the storm by submission.

In addition to the above details, we may state, that before the irruption of the Siamese in 1813, their language was in general use in the northern villages of Quedah, where the people had retained their ancient religion and customs, only slightly modified by their situation amongst the Malays. Many Siamese temples are dispersed throughout Quedah, and the sites of others of ancient date: now

destroyed, or in a ruinous state, are well known to the present inhabitants.

Yet Siam did not divest Queda, nor any other of the Malay States but Patani, of the rights of sovereignty, and therefore the British Government thought its Prince capable of forming treaties, and of even ceding a part of his dominions.

So deeming we entered into an alliance with him in 1786, and obtained our establishment at Prince of Wales' Island.

Still nothing is more clear and indisputable, in the whole history of its intercourse with the Malay states, than a steady and invariable determination on the part of the Supreme Government of India not to be led into an embarrassing participation in the interest and concerns of either Siam or any of the Malay states. Notwithstanding many applications from almost all the Malay states to the British Government—to afford them protection against Siam or against each other, by forming settlements in their dominions and notwithstanding the repeated representations of the local Government of Prince of Wales' Island in favour of Queda, the Governor-General in Council always limited our interference within the bounds of amicable counsel and mediation, deprecating any political connection with the Malay states, and considering an intercourse with them desirable, so far only as may be requisite for promoting and preserving the Trade of the Commercial Ports established at Prince of Wales' Island, Malacca and Singapore.

This is fully borne out by the replies of the Governor-General to the 1st, 3d and 6th Articles of the conditions proposed by the King of Queda, when he ceded to the above-named Island. They are as follows:

"Conditions required by the King of Queda."

Replies of the Governor-General and Council to the King of Queda's demands.

ARTICLE 1ST.

That the Honorable Company shall be guardian of the Seas; and whatever enemy may come to attack the King shall be an enemy to the Honorable Company, and the expense shall be borne by the Honorable Company.

This Government will always keep an armed vessel stationed to guard the Island of Pinang, and the coast adjacent, belonging to the King of Queda.

ARTICLE 3RD.

The articles, opium, tin and rattans, being part of our Revenue, are prohibited; and Qualla Mooda, Fry and Kreen, places where these articles are produced, being so near to Pinang, that when the Honorable Company's Resident remains there, this prohibition will be constantly broken

The Governor-General and Council, on the part of the English East India Company, will take care that the King of Queda shall not be a sufferer by an English settlement being formed on the Island of Pinang.

through, therefore it should end, and the Governor-General allow us our profits on this article, viz. 30,000 Spanish Dollars every year.

ARTICLE 6TH.

If any enemy come to attack us by land, and we require assistance from the Honorable Company, of men, arms or ammunition, the Honorable Company will supply us at our expense.

This article will be referred for the orders of the English East India Company, together with such parts of the King of Queda's requests as cannot be complied with previous to their consent being obtained."

In 1813 the Siamese Court called upon that of Queda to attack Perak, and upon the latter's refusal, its sovereign was driven from his throne. He sent his vakeels to the Governor of Prince of Wales' Island to request assistance, and these, in their statement to him, confessed, that Queda was very early a tributary of Siam, whether justly or not is no matter. That statement left no doubt upon the mind of the Governor-General in Council, for in a despatch, dated 25th February 1814, occurs the following passage:

"It left little room to doubt the dependant nature of the relation subsisting between the states of Queda and Siam, and that whatever might have been the origin of the periodical tokens of submission given by the former, there appeared to be no ground for encouraging the King of Queda to renounce his vassalage to the state of Siam, if indeed any measures directed to that end could be justifiable under the relation existing between that state and the British Government."

This was no new view of the case, for Lord Cornwallis, in January 1788, when a similar application was made, replied thus—

"With respect to protecting the King of Queda against the Siamese, the Governor-General in Council has already decided against any measures that may involve the Company in Military operations against any of the Eastern Princes. It follows of course that any acts or promises which may be construed into an obligation to defend the King of Queda are to be avoided. If, however, Mr. Light can employ the countenance or influence of the Company for the security of the King of Queda, consistently with those rules, the Governor-General in Council has no objection to his adopting the measure, strictly guarding against any acts or declarations that may involve the honor, credit, or troops of the Company."

The principles thus laid down at the very time of our settling at Prince of Wales' Island, have ever since been strictly acted up to. We have not room to follow the details, shewing how the Court of Queda submitted matters relative to the succession to its crown, to the arbitrament of Siam, nor the various occasions on which the latter was obeyed when directing that the Queda resources

should be employed in the service of Siam; neither can we afford space for extracts of the King of Queda's letters in 1821, in which he admits that Siam was invading his territories on account of his remissness in paying his tribute, or Boonga Mas; nor the narrative of his inglorious flight, and the capture and destruction of his family and friends. He found an asylum in our settlement. Of subsequent events it is unnecessary to treat, and we have only made these extracts, and given the narrative we have, to shew that the conduct of the Supreme Government towards Queda has been uniformly consistent.—*Courier*, March 17.

To the Editor of the Bengal Hurkaru.

SIR,—In your paper of this day, I observe that there is a letter of Mr. C. Thackeray, wherein he has made an allusion to that portion of my affidavit, upon which Sir Edward Ryan commented, respecting the charge against Captain Johnston, of being privy to the clandestine removal of Tuanko Mahomed Saad.

This charge was considered by the learned Chief Justice to have been met by the affidavits on which cause was shewn. In corroboration, however, of my statement, I beg leave to mention, that, when I met Captain Johnston at the entrance door of the Office of the Company's Solicitor (who was in his office) on the third instant, I accused him of having taken away Tuanko Mahomed Saad, and asked him what he had done with him. He said, laughing, "*he knew nothing about him*," and proceeded into the Solicitor's Office for advice, as I at the time thought, respecting the said Tuanko Mahomed Saad, upon which, I presume, he acted. From what I have said, I shall leave it to the public to draw its own conclusion, whether Tuanko Mahomed Saad was, or was not, clandestinely removed by Captain Johnston, to avoid the process of the Supreme Court. According to the affidavit, on which cause was shewn, Captain Johnston knew well where and how Tuanko Mahomed Saad was removed.

Yours very obediently,

March 17, 1841. R. GRAHAM, Solicitor.

Hurkaru, March 18.

To the Editor of the Englishman.

SIR,—By your paper of this day, it appears that some explanation is expected from the attorney in this case, as to the cause of the delay of the service of the writ of Habeas Corpus on Captain Congalton.

On the first instant, upon the motion being made

for a writ of Habeas Corpus, and order granted, I immediately went to the office from which such writs issue, and desired to have the writ made out, with the least possible delay. I was told, that I should have it in the course of two hours. I left my man

at the office to bring the writ of Habeas Corpus to me the moment it was ready, and in the meantime, I proceeded to see my client on board the *Diana*, then lying in the Kidderpore Dock. On my return to my office, about four o'clock, I learned that the writ was not then ready, but that I should have it soon. I did not, however, receive the writ until about eleven o'clock the following day, after which it had to be sealed, and then it was of no avail, as Tuanko Mahomed Saad had, on the morning of the second day, at about nine o'clock, as appears by Captain Johnston's Affidavit, been, by him, removed from the charge of Captain Congalton.

When on board of the *Diana*, I explained to Captain Congalton, that the writ of Habeas Corpus, which the Supreme Court had that morning granted, would be served upon him, to produce the body of Tuanko Mahomed Saad before it. He then asked me, how he should act upon the writ being served upon him. I told him, to take the writ to Mr. Secretary Maddock, who would, probably, direct him as to the course he should adopt.

As I never contemplated that the party would be smuggled away in the meantime, I confess that it never occurred to me to explain, that the removal before the coming of the writ would defeat its operation. Such effect seems to have been fully calculated upon, however, by those who have been instrumental to his removal, and little instruction appears to have been necessary on this head.

Yours obediently,

17th March 1841.

R. GRAHAM.

Hurkaru, March 19.

The conduct of the British Authorities, towards the royal family of Quedah, during the last twenty years, is so palpably unjust, and so entirely repugnant to all those principles which it is the boast of England to have adopted in her conduct towards the princes of the East, that a simple narrative of the transaction appears more likely to rouse the sympathies of those in our native land, who have it in their power to afford redress, than the highest strains of eloquence.

In the year 1785, the Government of Calcutta became desirous of obtaining "an eligible spot for the establishment of a small settlement for the protection of the commerce of Western India, and the security of our traders passing to and from China and other quarters." Capt. Light was, therefore, deputed to search for such a spot, and he selected Penang, then belonging to the King of Quedah, an independent Malay prince, who ceded it to Great Britain on the following conditions, which were fully ratified by the Governor-General in Council 1801st. That the sum of

17,000 dollars should be annually paid to the Rajah; 2d, that the British Government should always keep an armed vessel stationed to guard the island of Penang, and the coast adjacent thereto, belonging to the King of Quedah; 3d, That the Governor General in Council should take care that the King of Quedah was no suffered by an English settlement being formed on the island of Penang. On these conditions, Penang became an English settlement. Capt. Light, soon after he had taken possession of this place, informed the Governor-General, that the island had been ceded by the Rajah of Quedah principally, and almost solely, as the price of protection from Siamese invasion.

The Governor-General, on receiving this intimation, ordered the British representative in the Straits, "strictly to guard against any act or declaration that might involve the honour, credit or troops of the Company." But the Governor-General did not think it necessary to the honour or credit of the British Government, to restore the settlement to the King of Quedah, when it was easily to be withdrawn from the performance of one of the most important conditions of the session. The Government in the Straits was thus puzzled. The King of Siam, year by year, extended his empire limits, on the unhappy king of Quedah, and assumed a haughty tone towards the English.

At length, the Siamese monarch, convinced that he had nothing to fear from British interference, resolved to consummate his plans of aggression. On the 17th of November, 1821, while the Quedians were pursuing their peaceful labours, and the King was about superintending the formation of a new settlement in the jungle, a large Siamese force entered the Quedah river, and before the Quedians were aware of their danger, effected a landing. The few chiefs who happened to be on the spot, offered brave, but vain resistance. The town was taken, and immediately massacre followed, accompanied with every act of injustice and brutality which the mind can conceive. It is impossible to read the description of this scene of lust, torture and carnage, without being reminded of the glowing language of Burke regarding the invasion of the Canals:—"All the horrors of war before known or heard of, were merely to that hour."

The horrors of that event have been so indelibly fixed on the minds of the Malays, that a century will not be sufficient to extinguish the recollection of it. The outrages committed on that day of desolation, were repaired by no subsequent acts; but the same character of ferocity appears to have marked all the subsequent conduct of the Siamese towards the conquered. On this subject the testimony of Mr. Anderson, the Secretary to Government at Penang, must be regarded as conclusive. Instead of adopting a mild, conciliatory system of administration calculated to engage the affections of the inhabitants, whose country had been wrested from them, there has been one continued scene of the most brutal rapine and carnage, oppression and devastation, that can possibly be conceived. Their religion is violated, their wives, and their children are forcibly dragged from them, the aged parent, and the helpless babe are

dissevered by these ruthless barbarians, who consider them as unclean appendages, and the most wanton murders perpetrated by means the most cruel and painful to the wretched victims, are of daily occurrence."

While the Siamese were practising these barbarities upon their wretched victims, by which the population of Quedah was in six years, reduced from 180,000 souls, to less than 6000, the English engaged in that most unhappy of all our wars, the Burmese war. The feeble Government of Lord Amherst, fearing lest the Siamese should join the Burmese, deputed Capt. Burney to conclude an alliance with the King of Siam. The treaty began with stating, that "the powerful Lord who is in possession of every good and every dignity, the God Boodh, who dwells over every head in the city of the sacred and great kingdom of Siam, incomprehensible to the head and brain; the sacred beauty of the royal palace, serene and infallible there," had commanded his plenipotentiaries to meet Capt. Burney and conclude a treaty, in order that the Siamese and English nations might become great and true friends. Under the auspices of the God Boodh, Capt. Burney proceeded to sacrifice the King of Quedah to propitiate our new friends. "The Siamese engage to the English," says the treaty, "that the Siamese shall remain in Quedah and take proper care of that country and people. The English engage to the Siamese that the English do not desire to take possession of Quedah, that they will not attack or disturb it, nor permit the former Governor of Quedah, or any of his followers, to attack or disturb, or injure in any manner the territory of Quedah. The English, moreover, engage that they will make arrangements for the former Governor of Quedah to go and live in some other country, and not at Penang." The terms of this treaty are more accurately described in the words of the unfortunate Rajah himself, "Afterward, Capt. Burney went to the Capital of Siam, and made an agreement, giving Quedah to the Siamese without my consent, and sold me and my country."

It is difficult to read the terms of this treaty without feelings of indignation. It was disgraceful enough to have violated the agreement of protection made with the King of Quedah, when he was attacked by his implacable enemies; but to add to this the insolence of selling him the former Governor, and the injustice of making over his country to those who had invaded and depopulated it, and of engaging to remove him, an independent prince, from the island of Pulo Penang to some other place!—never in my treaty was British honour so unblushingly sacrificed. In Capt. Burney's vindication, it is but right to state, that he is said to have been totally ignorant of any existing engagements with Quedah, which might give to this treaty the odium of a nefarious breach of national faith. But the authorities in the Straits could not, ought not to have been ignorant of the solemn conditions on which we held the island of Penang, and which were so wantonly trampled on in this new engagement.

It appears that a little before the Burmese War, and the treaty with the Siamese, Mr. John Anderson,

the public Secretary at Penang, was employed in drawing up a work entitled "Political and Commercial considerations relative to the Malayan Peninsula, and the British settlements in the Straits of Malacca." It was printed in 1823, at Penang, under the authority of Government, and a hundred copies were sent to the Court of Directors. In that work Mr. Anderson expressed himself thus on the affairs of Quedah:—"The records of the Penang Government, from 1785 to 1790, furnish ample evidence, first, that the right of interference of Siam with Quedah was not acknowledged at the period of the session of Pulo Penang to the British Government; secondly, that that session was made upon the express condition of succour and protection against a powerful, relentless and overbearing enemy; thirdly, that we accepted the grant upon this understanding; that is, without making any objections to the proposals of the Rajah of Quedah before possession was taken; and lastly, that we are bound by considerations of philanthropy and humanity, to extend our aid to an oppressed monarch, who has long been our friend and ally, and to a defenceless multitude, groaning under the most bitter tyranny, and suffering all the horrors and calamities which a ferocious enemy can inflict.

The Government, soon after the appearance of this work, recalled every copy of it that could be discovered, and obliged Mr. Anderson to give his word of honour that he did not retain a copy. One copy, however, appears to have escaped the vigilance of the public authorities, and was afterwards discovered in the library of Mr. Carnegie. Whether this event took place, previous or subsequent to the Siamese treaty, does not appear; but the destruction of every copy of the work which could be found, cannot be misunderstood.

The annual grant of 10,000 dollars to the King of Quedah, was subsequently reduced to 6,000 dollars. The unfortunate Prince appealed to Lord William Bentinck, who ordered it to be restored in full, and directed his son, who had been sent with the appeal, to inform his father, that as long as a British flag was flying at Penang, the full allowance should be paid to him and his posterity. Of this pension two-fifths have again been stopped by the authorities in the Straits.

In the year 1831, a nephew of the old King Tannkoo Koodin, of Arab blood, who had been living within the British boundary, was raised to madness by a treacherous attempt made by the Siamese to destroy him, by blowing up his house during the night. His wife and children perished, but he escaped. He appealed to his countrymen.

Burning to revenge their national wrongs, they left their ploughs and flocked to his standard. He attacked Quedah, and expelled the Siamese. The dastardly Siamese appealed to the British for assistance, and it was readily given. Though the Siamese were beaten in every encounter, the Quedans could not stand the fire of the British ships of war.

They retired within the fort, where famine soon thinned their number, till at length only a gallant band of thirty remained, who found the death which they preferred to slavery.

In 1832, Tannkoo Mahomed Saad, another nephew of the old king, whom, by the bye, the authorities in the Straits had immediately seized and kept in durance at Malacca, determined to attempt the recovery of Quedah. His attempt was completely successful. The Siamese again fled before the Malays. Tannkoo Mahomed, having thus obtained possession of his ancestral kingdom, displayed a degree of talent for Government, not usual among his sensual fellow-countrymen. He erected mosques, constructed roads, abolished iniquitous imports, and encouraged agriculture and trade.

Thousands who had been driven from their homes by the tyranny of the Siamese, returned to them, and the country began once more to assume an aspect of cheerfulness. From June to December 1838, Quedah had peace, under the authority of Tannkoo Mahomed, such as it had not enjoyed for seventeen years.

The Siamese now applied to their worthy allies the English.* The Straits Government issued a proclamation denouncing Tannkoo Mahomed as a *Pirate*. A British officer was deputed to Quedah, to threaten that chief with British vengeance if he did not deliver up the country to the Siamese. He offered to deliver it up to the English, if they would defend him from the Siamese; but he resolved to submit to every extremity rather than allow Siamese tyranny to be re-established in Quedah. The Siamese and English now formed a junction. From December 1838, to March 1839, a British naval force blockaded the coast of Quedah, and Tannkoo Mahomed Saad was obliged to abandon his country, and seek refuge in the Kingdom of Perak. No sooner had the Siamese resumed their authority, than they proceeded at once to wreak their vengeance on the wretched inhabitants. Three thousand of them were seized and transported as slaves to Bangkok. "It was a miserable sight," says an eye witness, "to see the poor, wretched creatures pulled up past our house in open boats, containing about fifty each, with their heads thrust through triangular bamboo collars, and consisting of mothers with children at the breast, old men, and young girls all jumbled together."

Tannkoo Mahomed Saad took refuge in the independent Kingdom of Perak. From thence he was inveigled by a British officer, deputed by Govt., who assured him of safety and protection. But no sooner had he reached Penang than, to use the language of his eloquent advocate, "he, a prince of the blood royal of Quedah, an heir to the throne, in that island which his grandfather gave to the English, that he and his successors might be supported on the throne, was for three months shut up in a jail, loaded with irons." He was brought to trial as a *Pirate*, acquitted by a British Jury, and then sent up to Calcutta as a prisoner of war. Sir William Norrie, who presided in the Court, in the course of his address to the jury, said, "If the state of things in Quedah, in consequence of the Siamese rule, was any thing like so

* We have heard, indeed, that the Siamese did not invoke the assistance of the authorities in the Straits; that the despatch of a vessel of war to coerce Tannkoo Mahomed was entirely a gratuitous and supererogatory act.

had as had been represented, all men of proper feeling must deeply deplore, and were justified in demanding, by all possible and constitutional means, a petition to the Supreme Government, the Court of Directors, the Board of Control, Her Majesty the Queen, or the Imperial Parliament, to endeavour to bring about a change for the better."

A perusal of this simple narrative will be sufficient to convince the reader, that on no occasion has the British Government been guilty of so glaring or so wanton a breach of faith, and never has that breach of faith entailed more heart-rending misery, than in the instance of Quedah. The opinion of all foreigners in the Eastward is uniformly that our conduct towards the ex-Raja and his family is a foul blot on our national escutcheon. England is now called upon imperatively to wipe out this stain, even if the hazard, which a return to the path of justice might entail, were ten times greater than it is. It is in vain to plead our treaty with Siam; that treaty was made in direct violation of every principle of equity and good faith, and the claims of justice are infinitely higher than the claims of any such treaty. It has been violated in the most infamous manner by the Siamese themselves. It is no longer binding on us. In an evil hour for our national honour did we engage not to allow "the former Governor of Quedah, or any of his followers, to attack, disturb, or injure in any manner the territory of Quedah, but it was on condition that the Siamese should take proper care of that country and of its people." So far from taking proper care of the people, they have been treated with unparalleled barbarity. It is impossible that we can be bound to aid the ferocity of the Siamese, and to associate our name and authority with such atrocities. It is the duty of England on the contrary, to repair the miseries which it has inflicted on this unhappy people, as far as may be in her power; and, if she determines not to abide by the original terms of the contract, and afford them protection by her own ships on war, at least to allow them the chance of returning to their native land, and righting their own wrongs, without employing those ships against them.

Such, we trust, will be the view taken of the subject by the authorities at home, both in the Court of Directors and the Board of Control. It is perhaps too much to expect the local Government of India to take upon itself the responsibility of altering the course of our policy in the straits, however disastrous it may have been. When the envoy of the Rajah asked Lord William Bentinck's permission to return to Quedah, his Lordship evaded the question by pleading the treaty with Siam. After such a reply from a Governor-General, whose boldness was by some supposed to border on madness, the only hope of redress must come from the Home Government. By adopting a more just policy, the only risk we run is that of a rupture with the King of Siam; but of all the Indo-Chinese monarchs he is the most contemptible, whether we regard the extent of his power, or the use that is made of it. If all the power of Siam was unable to expel a few

thousand Malays from Quedah, surely the British Government has nothing to fear from it. A visit by the *Nemesis*, and one or two more war steamers to Bangkok, would soon settle the question of Siamese hostility. By declaring the treaty null and void, and leaving the Quedahs at liberty to recover their independence, we shall again people that fair region with an active and industrious population, regain our character among the Malay tribes, and recover our national character for honor, fidelity and justice, which has been so foully tarnished by the proceedings of the last twenty years.

We seek the revision of the whole question by those who have the power of restoring the Quedahs to their ancient inheritance, and their beloved country. We seek, not merely the deliverance of the prisoner from his nominal detention at Berhampore, but his return to the Straits, with full power to recover Quedah, and people it with his own countrymen.—*Friend of India*, March 18.

The case of the Quedah Prince is now before the public, and before the Government of India, and whatever may be alleged as to the warmth of feeling which may have been manifested by any party, during the discussion of this question, the public and the Government must, we feel assured, be equally aware, that our object—our sole object—is to put the matter in such a point of view, that the Government of India may maintain its own dignity of character in respect to our relations with the state of Quedah. And why should the present Government of India avoid the question? If injustice has been done, the Government of India is strong enough to say, "we have done wrong." A weak Government dare not so say; but the best evidence of strength is the acknowledgment of error. It is perfectly clear, that the British Government of India is strong enough to admit an error—and when such is the case the wisest policy is to admit it. There can be no question, that to persist in error is a symptom of weakness—and, "doing or suffering,—to be weak, is miserable." Now, why should the British Government of India, in this sense, be "miserable" in respect of the Quedah question? Why should they have recourse to the public weapons of the "weak," and, therefore, "miscellaneous," when they can meet the question openly and fairly, and if wrong has been done, they can afford to say, "we have done wrong; and we will now see wrong righted." This, we think, would have been the wiser policy of the Government of India, in respect to the removal of the Quedah Prince, even supposing that the writ of *Habeas Corpus* was not evaded. The British Government of India, cannot fly in the face of the common opinion of all mankind with impunity. Now let us see what was the common opinion of the British community at Pinang, relative to the treatment which the Quedah Prince had received at our hands. At a meeting of the whole of the British community of Pinang, a memorial was unanimously agreed to, deprecating the measures that had been put in operation against the Quedah chief, as equally contrary to good faith, and to the interests

of commerce. We trust, that, the commercial community of Calcutta, will not omit to follow the example of the commercial community of Pinang, as respects the existing relations between the country of Quedah and the British Government. That we should sacrifice one of the finest territories in the world, to a set of barbarian idolaters, and sanction by treaty with them, a new eastern slave trade—the only trade which they understand, and which they carry on with the most unmitigated ferocity, is to suppose, that which England will never tolerate; and we do most earnestly entreat our present representative of British power in India, to contrast the glory of doing right to an oppressed Prince and People, with the odium of having been in a direct manner necessary to their persecution. We think, that after what we have published, in our Saturday's issue, no rational man will be found hardy enough to assert, that the Government of India has the least shadow of right, under any known civilized law, either of peace or war, to retain the person of Tuanku Mohamed Saad, in captivity. His case has been compared with that of Buonaparte, but we think the position is unanswerable, that when the British Government put him upon his trial for piracy, they renounced all claim upon him as a prisoner of war. He is, then, a prisoner, without any authority to hold him a prisoner. As his case has been assimilated to that of Buonaparte,—and, we believe, that he is both a braver and a better man, let us suppose, that Lord Castlereagh had been foolish enough to direct the then Attorney General, Sir Samuel Sheppard, if we recollect right,—and if we do not, it is a matter of no importance the *Englishman* will set us right—to indict Napoleon Buonaparte for piracy, and let us suppose, that he had been made to hold up his hand at the Old Bailey, and take his trial, and that he had, in a British Tribunal of Justice, been acquitted before all the world, would Lord Castlereagh, after such acquittal, have dared to write to the Commander of the *Bellerophon*, in the words of Mr. Bonham, the Governor of Singapore, “you will also receive on board the *Bellerophon*, Napoleon Buonaparte, with his attendants whom you will detain in safe custody on board, until he be sent for by competent authority.” Why, much as Buonaparte had done against England, had Lord Castlereagh attempted such an experiment, all England would have risen against it as a *monstrous*—and still not we do the same here in the like case? Are we not Englishmen? and if we would have done this for Buonaparte, had he been so grossly and illegally treated, shall we not do it for one who has been so illegally and cruelly treated, and in whose person the sacred verdict of acquittal, of a British tribunal, has been outraged, and set at naught. We trust, that a public meeting of Calcutta, will speedily vindicate the cause of right and justice in the case of this much persecuted Quedah Prince.—*Hurkaru, March 22.*

and, we think, that our readers after the perusal of what we shall detail will conclude, as we are glad to be obliged to conclude, that our rulers from first to last have been free from blame in their treatment of the ex-dynasty of Quedah. Our former opinions were founded upon the statements in Mr. Anderson's book (of which there are to our knowledge three copies in Calcutta) and from those made during the trial of Tuanku Mohamed Saad at Pinang, not merely by his advocates but by the Recorder,—and yet how erroneous were all these statements,—how partially they revealed the truth is now apparent.

In our editorial of the 17th of March, we brought down our narrative of Quedah affairs to the year 1821—we shewed that we were not pledged in any one way to defend the tributary of Siam from any but enemies common to ourselves and Quedah—we shewed that in thus acting we had been throughout consistent—and we have now before us more evidence to the same purport, but it is needless to heap up testimony to sustain what has been already proved.

The sovereigns of Quedah had uniformly acknowledged themselves as tributary to the king of Siam, and acknowledged their subordination by paying the Boongri Mus—but in addition to this national tie the present ex-Rajah of Quedah was doubly bound to the King of Siam by the inviolable obligations contracted upon him. Possession of his gubdee had been usurped by his uncle, and it was to Siam, and to Siam alone, the present ex-Rajah owed his restoration for it was the intervention of that country removed his uncle, giving to him an intercession at Paris, and placed the ex-Rajah in possession of the raj.

Forgetful of his allegiance—forgetful of personal obligations—he neglected to pay the tribute he confessed to be due, and he also refused to give the Military aid required. In November of 1821, the Siamese successfully attacked Quedah, and whilst we condemn with an indignation equal to that of any one who has vituperated the cruelties which ensued, yet we must observe that this has nothing to do with the rights for which the two parties were contending. The slaughter was dreadful—the success complete—and if the few chiefs who escaped the sword, about seventy, inclusive of their families, were carried away captives to Siam. Among these, let it be remembered, was Tuanku Mohamed Saad.

The ex-Rajah was neither among the slain or the captured, but fled ingloriously for protection to the British authorities in Pinang. That protection was readily afforded, but it was afforded upon terms. These specified that whilst under our protection, and receiving as he was a payment from our Government, he should not undertake any hostile measures against the Siamese. With these we were at unity, and it needs no argument to point out that we could be no more justified in allowing the ex-Rajah to get together an armament whilst living within our territory, than England would have been justified in letting Buonaparte live within her boundaries, and pursue measures inimical to France.

Yesterday we informed our readers that we had obtained further documents explanatory of the relationship which existed between this Government and that of Quedah—we stated that these documents had shaken our preconceived opinions,

He broke the pledges he had given and the terms we had imposed, not only by supplying money to raise forces against the Siamese, but by joining with the Dutch in 1802, and not until then did our Government reduce his allowance from 10,000 dollars to 5,000 per annum.

Now a word about this said allowance. By the original treaty of 1786, it was agreed the East India Company should take care that the King of Quedah was not a sufferer by our settling at Pinang, and it soon appearing that such injury did occur, it was agreed by another treaty in 1802 that we should pay to the King of Quedah as long as we retained Pinang 10,000 dollars annually, and on his part he agreed that "all kinds of provision, wanted for Pinang, ship, &c. might be bought at Perlis and Quedah without impediment or being subject to any duty or custom." In defiance of this the ex-Rajah imposed and persisted in imposing a duty upon grain so bought, and upon this infraction of the treaty the Advocate General, Mr. Pearson, gave a decisive opinion that we were no longer bound to pay the 10,000 dollars. Yet it was continued to be paid to the exiled Rajah, purely out of compassion for his destitute state, and despite the claim of the Siam Government, who urged that as it was now in possession of Quedah the compensating payment out to be paid into its treasury. So far then from the ex-Rajah having any cause to complain that we now only pay him 6000 dollars annually, he ought to be grateful for the generosity which thus amply provides for all his reasonable wants.

The Law Officers of the Company advising that the Treaty with the ex-Rajah was abolished not only by his own infraction of its clauses, but by the reduction of Quedah by the Siamese, our Government entered into a treaty with this people in 1826. In this treaty are the following stipulations:

Article 13.—The Siamese engage to the English that the Siamese shall remain in Queda and take proper care of that country and of its people; the inhabitants of Prince of Wales' Island and of Queda shall have trade and intercourse as heretofore; the Siamese shall levy no duty upon stock and provisions, such as cattle, buffaloes, poultry, fish, paddy and rice, which the inhabitants of Prince of Wales' Island, or ships there, may have occasion to purchase in Queda; and the Siamese shall not farm the mouths of rivers or any stream in Queda, but shall levy fair and proper import and export duties. The Siamese farther engage, that when Chao Phyer, of Ligore, returns from Bankok, release the slaves, personal servants, family, and kindred belonging to the former Governor of Queda; and permit them to go and live wherever they please. The English engage to the Siamese, that the English do not desire to take possession of Queda; that they will not attack or disturb it, nor permit the former Governor of Queda or any of his followers to attack, disturb, or injure in any manner the territory of Queda, or any other territory subject to Siam. The English engage that they will make arrangements for the former Governor of Queda to go and live in some other country, and not at Prince of Wales' Island or Beye, or in Perak, Selangore, or any Burmese country. If the English do not let the former

Governor of Queda go and live in some other country as here engaged, the Siamese may continue to levy an export duty upon paddy and rice in Queda. The English will not prevent any Siamese, Chinese, or other Asiatic, at Prince of Wales' Island, from going to reside in Queda if they desire it.

Now among the persons (amounting to seventy) released according to this stipulation, was Tuanku Mahomed Saad himself. He accepted his liberty upon the terms of this article, and by so doing we were pledged to assist Siam if he or any of his relatives attempted to disturb the peace of Quedah. In 1831 his brother or cousin did attempt to restore his family dynasty, and, as bound by treaty, we did assist the Siamese. A course of proceeding to which we were even more entirely called upon to enter because the attempt was made by means of our discharged Sepoy, and the Siamese might justly have concluded, if there had been any want of alacrity on our part, that so far from observing scrupulously, as they had done for five years, the terms of treaty, we were covertly abetting the cause of the ex-Rajah.

In 1838 Tuanku Mahomed Saad despite the terms on which he had accepted his liberty, and in defiance of the knowledge that we should act as we had acted in 1831, attacked, and as in the other instance, successfully, the Quedah state. We aided our allies and the Tuanku was obliged to fly for safety, taking shelter in the kingdom of Perak.

With the acts of internal policy of the Tuanku whilst his power prevailed in Quedah we have nothing to do, but our attention must be confined to his aggressive hostilities subsequent to his expulsion. He seized and plundered boats, enslaved their crews, and murdered some—some of these belonged to British subjects—and they were made when neither he nor any one else pretending to act on behalf of the ex-Rajah were in possession of Quedah. The flag of Siam was replanted there in March 1839, and the seizures of the boats were in the following November. Now these seizures we are clearly of opinion were acts of piracy. His only pretence for hostilities must have been that he was acting for the ex-Rajah his uncle, and the latter was living under protection, was receiving our money, and had not been in possession of any territory for seventeen years! This was tolerably *prima facie* evidence that the Tuanku was acting without any possible authority: but what will our readers say when they find that ex-Rajah actually published an express prohibition against all persons then attempting to hold Quedah against Siam! Such is the fact, and Mr. Denham stated that the ex-Rajah declared in other ways that he thought such attempts were prejudicial to his views of ultimate restoration. Under these circumstances how can Mahomed Saad, the younger nephew of an ex-Rajah, with, we believe, more than fifty superior claimants between him and the gудdee if the dynasty was restored—how can he justify this warring not only against Siam, but against us, and even capturing boats of states perfectly independent of both. If this was not piracy Black Beard was much mis-called. Why he was tried upon the case selected, in preference to some which we could

print out amongst twelve others in which he acted most illegally and like a barbarian. We cannot tell, but of this we are quite certain that he may think himself very lucky in escaping under the plea of being a prisoner of war — for he had no more right to wage war against any state, much less against states in general, than he was morally justified in enslaving the women and torturing the men whom he captured.

Why the Recorder of Penang, Sir John Norris, was so zealous in favour of Mahomed Saad it is perhaps vain to enquire; and it is needless to explain why he attacked the Supreme Government, but one thing is quite certain that his observations were very unbecomingly, very perverting of the truth, and that his ingenuously succeeded in disguising the fact as it now appears. In the documents before us, that Mahomed Saad had committed piracy, if it is piracy to plunder and murder British and other countries, subjects navigating the Straits, or living on their shores and islands, with whom the Recorder could not have ventured to give as his opinion that the Tunku was at war.

Of subsequent events it is needless to descant further, if it was a mild interpretation to consider him a prisoner of war, and as such he was brought hither, no writ of *Habeas Corpus* was thought of being moved for at Penang; and even his friend the Recorder told him that he must be detained in that character. We hear that he is at Berham-pore under no other restraint than that of being obliged to show himself once in the day to an appointed officer; that, at his own request, his family has been sent for, and there is every prospect that he will remain during life our pensioner on a monthly allowance of some one hundred and fifty Ruppes. — *Courier*, March 27.

Our evening contemporary had pledged himself, by the aid of certain documents, to others inaccessible, to effect a perfect overthrow of the cause of the unfortunate Prince of Quedah, and his unhappy country, and on Saturday evening, he came forth in all his strength. But *magna est veritas*, and notwithstanding all that documents can do, truth will still prevail. We publish, elsewhere, the promised article of the *Courier*, which was to demolish the devoted Tunku, and shall proceed to the discussion of this defence of the British power as exercised towards Quedah, which defence, we cannot but say, manifests a greater degree of zeal for the cause which our contemporary espouses, than of knowledge of the true bearings and relations of the question which he has taken upon himself to cope withal. In the first place, our contemporary is by no means correctly informed as to the true meaning of the term Bunga-Mas, of which, however, he might easily have informed himself according to his own shewing, as he assures us that he is aware of three extant copies of Mr. Anderson's work, now in Calcutta, in which work the real meaning of that expression is clearly defined. But, before we proceed to this definition, it may be proper to say a word or two respecting the claim of Mr. Anderson's work, to full or partial authority upon the subject we have in hand. The enemies of the Quedah cause, have endeavoured

to decrease the value of Mr. Anderson's work, because it makes against them, and they have designated it a garbled compilation, concocted for a particular purpose. But no man ever so much to make garbled compilations, without motive, and that a strong one, to induce him to misrepresent or falsify. Now, Mr. Anderson was engaged by the British Government to compile his work expressly for the information of the local and home authorities, as to the actual *status* and condition of the Malay and neighbouring states and the relative position in which our Government stood towards them — and this important labour Mr. Anderson undertook, before any interruption had taken place with our friendly relations with Quedah; and he executed his task in such a manner, as to deserve and receive the highest testimonies of approbation, both from the local and home authorities. So much for the accusation of a "garbled compilation." What then does Mr. Anderson tell us is the meaning of the term *Bunga Mas*? Mr. Anderson tells us that the *Bunga Mas*, is not in any manner, given or received as a token of subjection, as the *Courier* supposes. It is merely a complimentary acknowledgement by a smaller to a more powerful state, of an inferior *status* in the rank of independent states, and in this sense, the Siamese monarch himself sends the *Bunga Mas* to the Chinese Court, without the least derogation from his own independence. The *Bunga Mas*, or golden flower, is the mere complimentary offering of a smaller independent state, to a larger independent state, and has no manner of analogy to the act of homage, rendered among feudal powers, by a vassal to his lord.

It is astonishing with what coolness our evening contemporary, following the example of all previous defenders of the conduct of the British powers towards Quedah, set down to justify such conduct, on the broad basis that the faith of treaties must be observed; and yet, whilst holding this doctrine, to maintain the position that because Quedah had infringed some custom house clause, *therefore* the British Government was absolved from all further obligations to regard its engagements with Quedah, they yet have the temerity to set before us clauses in the Siamese treaty, of the most sacred character, which have been notoriously violated; and yet they still hold that we must still keep faith with the Siamese. Thus, the *Courier* urges that because Quedah levied some trifling impost on certain articles of commerce, our treaty with that power was thereby instantly cancelled, and then our contemporary has the hardihood to quote an article from our treaty with the Siamese, the very first clause of which is as follows:—

"Article 13.—The Siamese engage to the English, that the Siamese shall remain in Quedah, and take proper care of that country, and of its people."

Now, unless our evening contemporary is of opinion, — which we are sure he is not, — that he ravage this unhappy country with fire and sword, to carry off its population by thousands, and to send them in to slavery in Siam, to the womb of pregnant women, and to the

infants to simper and mockery--to parody the step
in the manner of other Asiatic despots, upon
the wretched inhabitants of Quedah--to convert
that once happy and flourishing territory into a
hideous desert, seeking with the blood of its popula-
tion, and smothering with burning towns and villages
--unless we say, our contemporary maintain that
to do all this is to take proper care of that country,
and of its people, he must confess that the
Siamese have broken their treaty, in the most
flagitious and atrocious manner, and yet our con-
temporary maintains that we must still not only
keep on friendly terms with the Siamese, but aid
them in their abominations, because, forsooth, we
must regard the faith of treaties. It is not reason
alone, it is not common sense that recoils at such
double dealing in respect to the faith of treaties;
it is reason, it is common sense, it is nature be-
lieve that exclaims against such hot and cold inter-
pretation and applications of the law of nations,
and the ' faith of treaties.'

But, let us take up another position of our even-
ing contemporary, who says, that Tuanko's "only
pretence of hostility must have been that he
was acting for the ex-Rajah his uncle, and the
latter was living under our protection, was re-
ceiving our money, and had not been in possession
of any territory for seventeen years." This was
tolerably *prima facie* evidence that the Tuanko
was acting without any possible authority; but
what will our readers say when they find that the
ex-Rajah actually published an express prohibi-
tion against all persons then attempting to hold
Quedah against Siam?"

We will tell the *Courier* what his readers and
ours too, will say, when they come to know the
real state of the case. They will say, that to compel
the poor old rajah, a captive in our hands, to
issue such a proclamation, was a most flagrant
abuse of the power of extorting from that unhappy
prisoner, a renunciation of his rights by *duree*.
Our evening contemporary is fully aware that a
proclamation so obtained, can have no manner
of operation, as affecting the character of the
acts done by Tuanko Mahomed Sand, in opposi-
tion to a proclamation, issued under such cir-
cumstances, however much it may aggravate the
character of our dealings with this unhappy
prince and his native country.

But says the *Courier*, the old Chief of Quedah
had been in communication with the Burmese.
This is all very true, but what business was that of
ours. The King of Quedah, finding himself about
to be overwhelmed by the Siamese power, first of
all applied himself to us--implored us not only to
aid him, but to take possession of his country, and
to regard him as our vassal. He would with joy
surrender himself and his country into our hands,
and hold his country as of us. But we would not.
By strange information, originating in the most
unfounded and groundless apprehensions, or ra-
ther in the most degrading fears, of the power of
the Siamese, we rejected these proffers of the
Quedah monarch, and then let us ask who can
blame him, if cast off by us, he looked around him,
in the hope of deriving assistance against his dead-
ly foes; and that he turned to any quarter whither
he deemed it probable that he might obtain such aid.

This accusation is absurd and childish. But this
was in fact the head and front of his offending, and
it was regarded as a deadly sin. The Siamese
appear to have cast a spell over the British authori-
ties in every transaction connected with Quedah.
Here was a beautiful, fertile, a flourishing, and
well peopled country, offering itself to us, and there
can be no doubt that, had we accepted the King
of Quedah's offer, at this very hour the whole ter-
ritory, from our Telukserim possession to the ex-
treme southern point of the territory of which
Quedah forms a part, had been grateful tributaries
to us, or rather our subjects, and thus an uninter-
rupted chain of territory would have existed, con-
necting our British Indian territories with Peking
and our other possessions in that quarter; and thus
should we have gained a considerable increasing in-
fluence to the growing power of the Dutch, who as is
now most probable, will be in the possession of the
whole of Sumatra where we are altogether expel-
led from those seas, our most excellent and worthy
allies the Siamese, affording their utmost aid and
assistance in driving us out of their neighbourhood.
Verily, we shall have our reward. Our evening con-
temporary may rely upon it, that it was not Tuanko
Mahomed Sand but the British, who kidnapped him,
that he is a pirate actually and emulated "Black
Beard."--*Hurkara*, March 29.

Not at all surprized are we that our contem-
porary the *Hurkara* has a difficulty in reigning
the opinions he had previously entertained rela-
tive to Tuanko Mahomed Sand--because we
knew those opinions were founded on those which
we at first maintained, upon evidence we had
every reason to believe correct--namely, a work
published by a gentleman who had unrestrained
reference to official documents, and the dicta of
a Judge delivered from the bench. But the Judge
was evidently mistaken and prejudiced in his
views, and the book in question tells the truth,
but not the whole truth, therefore being so deceiv-
ed our contemporary is as blameless as, his antho-
rities are worthy of all condemnation.

The *Hurkara* says, that Mr. Anderson was
engaged by the British Government to compile
his work, but this is an error, and not the less so
because commonly entertained. Mr. Anderson
and the Governor of Penang (Fullerton) published
it with the intention of aiding the desire they
entertained of having Quedah annexed to Penang
--knowing that if they succeeded in demonstrating
that Quedah was a perfectly independent state,
they would clear away one great obstacle to the ac-
complishment of their desire. The claim of
Siam stood in the way; and it was well known
that the Rajah of Quedah was willing to become
our tributary as he was tributary to Siam; if we
would protect him from the consequences of his
change of fealty. The opinion that Mr. Anderson's
book was prepared by desire of the Home Gov-
ernment probably arose from the latter taking one
hundred copies, but that was their practice when
a work was published by any of their public ser-
vants; and as to its being subsequently withdrawn
from circulation, we can only say that if any at-
tempt was made to suppress it, we conceive that
it was without the knowledge of Government, and

by Mr. Anderson's own directions for reasons best known to himself.

Of the *Bangka Mas*, or golden tower, delivered annually by Quedah to Siam, we are quite aware, that Mr. Anderson says it is only complimentary; and not at all indicative of subjection; but Mr. Anderson stands alone, or nearly alone, in this assertion, and, as the weight of authority is against such an interpretation, so in every passage in the history of the two States, as well as the dictates of reason, Wars arose when the *Bangka Mas* was not duly sent; and, as we mentioned on Saturday, there are abundant instances on record of Quedah acknowledging itself feudatory to Siam, obeying the latter's directions, aiding in time of hostility; submitting points of internal policy to its judgment; and even when the present *Ex-Rajah* was ousted by his usurping uncle, Siam considered itself called upon to restore its rightful feudatory to the gubdee.

Our contemporary asserts that the ex-Rajah, "a captive in our hands," was compelled by us to issue the Proclamation condemnatory of Thangkham Saad's warlike proceedings - but this is an assertion easily made, and not only without proof, but in defiance of testimony to the contrary. Mr. Bowdler states that it was issued by the ex-Rajah spontaneously; and, be it observed, that the ex-Rajah is our prisoner, is no more true than it is true that Louis the Eighteenth was a prisoner in England - both received pensions - both came voluntarily within our boundaries - both were interdicted gathering together armaments - and both were assigned a residence, which they were not to quit without permission. The only argument used by our contemporary, that has even the appearance of strength, is that which says that we ought to do as extreme to see our Treaty with Siam fulfilled to the letter as we were in the instance of Queda, but if our contemporary means anything by this he means that we should do a great deal more. We stipulated with the ex-Rajah whilst on the throne to give him 10,000 Dollars annually for injury done to his revenue, but when he lost his country did not his title to the recompense cease! Yet we continued to pay it and only stipulated that he should not intrigue, or use measures hostile to Siam whilst receiving our pay and living in our dominions - yet he did both, and thus again forfeited all right to his allowance, but still it is not withheld.

Now in our Treaty with Siam we obtained a promise among other things that they would make proper care of Quedah and its people, and to return we promised them assistance; and if it be true that they have acted contrary to their treaty, if they have not taken proper care of Quedah and its people, then shall we be justified in withholding our future assistance; but to say that their exertions in Quedah are a ground for war, a cause for us not to keep "on friendly terms," is certainly the dictate of kind feeling, but acted upon would lead England into quibotic warfare against half the nations of the world. Actuated by generous motives we may obtain a promise that a certain place shall be kindly entertained, but if that promise is not kept, it is certainly no reason for us to declare war against the oppressor; and further let us remark, that our not being

[illegible]

That extremely facetious and amusing autobiographer, Monsieur Dutens, or Duchillon, tells us, with some naïveté, that when he published his edition of Leibnitz, he annexed to it a preface, in which he handled certain mathematical questions, with great boldness, although he confesses that he was profoundly ignorant of his subject. This preface, however, as it happened, at least as M. Dutens assures us, met with very considerable applause, from which circumstance he deduces the conclusion, that the author, who is least informed upon the subject, upon which he writes, will succeed the best in treating upon it. We cannot but suspect that our worthy evening contemporary has recently been amusing himself with the above-mentioned author's entertaining works, and that he has adopted the convenient hint we have quoted, and resolved to act up to it, when entering upon the discussion of the case of the unfortunate Prince of Guedali. However although it may happen, that a writer may, under such advantages as M. Dutens recommends, write upon any given subject, in a style of ostentation, empty proportioned to the profundity of his ignorance, and long as it should beware of entangling himself with assertions regarding facts. For if, as has been somewhere stated, one fact is worth a thousand arguments, why, one mistake in regard to facts, would make to injure a cause, than a thousand weak arguments. In reference to the withdrawal of Mr. Anderson's work, from circulation, the *Courier* says—"and as to its being subsequently withdrawn from circulation, we can only say that in any attempt was made to suppress it, we conceive that it was without the knowledge of Government, and by Mr. Anderson's own directions, for reasons best known to himself." Taking M. Dutens's principle of composition to be a correct one, we may say, of our evening contemporary, as Diderot and another individual who, like M. Dutens, thanked God for his ignorance, that he has a great deal to be thankful for, in re Thanko Malphong Said, for not only did this Government recel Mr. Anderson's book from circulation, but they obliged him to give the work to people that he had not treated in a friendly way in his own hands." So such for our contemporary's accuracy of information touching the suppression of the circulation of Mr. Anderson's work, we it borne to mind, was at first so highly estimated, that Mr. Anderson received the especial thanks of both the Straits and Bengal Government for it, and was recommended by the latter, for extra pecuniary remuneration, to the Court of Directors, who, though they would not concede the additional

reward, did not refuse it, because the work was not highly appreciated by them, but merely because they deemed that in drawing it up, Mr. Anderson had only performed his duty,—for the ability evinced in discharging which, however, they tendered him their thanks. But our contemporary denies the authority of Mr. Anderson, touching the meaning of the term *Bunga Mas*. He would oblige us if he would favor us with a better or higher authority, for he must permit us at least to place greater reliance on Mr. Anderson's exposition of the *Bunga Mas*, than our contemporary's, seeing that the former had devoted much direct attention to the subject, among the countries where the custom of the presentment of the *Bunga mas* obtains. But our contemporary denies that the old King of Quedah, was under duress at Malacca, when he issued the Proclamation in which he prohibits his subjects from taking up arms against the Siamese. Now what says the evidence on the trial of Tuinko Mahomed Saad? Mr. Silmon, who certainly had no inclination to make the best of Tuauko Mahomed's case, says directly and distinctly:—

"The King of Quedah was taken by force from Bruas to Malacca, shortly previous to the last blockade of Quedah, when under Tuinko Mahomed Saad,—H. M. Sloop of war *Zebra*, Captain Macrea, was employed by Government to remove the ex-King forcibly from Bruas to Malacca. "Surely, now that we have informed our contemporary of the fact, he will not deny, that a proclamation obtained from the ex-King of Quedah under such circumstances, whether extorted by threats, or induced by promises, can have no manner of binding influence whatever, upon the subjects of Queda. Can our contemporary, now that we lay the real state of the case before him, discover the slightest resemblance between the position of the King of Queda at Malacca, and that of Louis the 18th on the hospitable and friendly shores of Great Britain? But the *Courier* further talks of the King of Queda receiving our pay. Our contemporary is only so far wrong in this statement, that he puts *our* for *his* pay—which mistake he may easily correct by an *erratum*. After having received from the King of Queda a fertile island, a large tract of adjacent territory, and after having diverted into our own channels, the commerce of his country, the *Courier* would represent the King of Queda, as a pauper pensioner upon the eleemosynary generosity of a British Government! What shall we term this—"too good," "too bad"? Let our readers decide. The conclusion of our contemporary's argument is so very peculiar, that we must give it conspicuous place in our editorial, although we elsewhere reprint the whole article:—

"Now, in our Treaty with Siam, we obtained a promise among other things that they would 'take

proper care of Quedah and its people,' and in return we promised them assistance; and if it is true that they have acted contrary to their treaty, if they have not taken proper care of Quedah and its people, then shall we be justified in withholding our future assistance; but to say that their cruelties in Quedah are a ground for war, a cause for us not to keep "on friendly terms," is certainly the dictate of kind feeling, but if acted upon would lead England into quixotic warfare against half the nations of the world. Actuated by generous motives, we may obtain a promise that a certain place shall be kindly treated, but if that promise is not kept, it is certainly no reason for us to declare war against the oppressor; and further, let us remark, that our not being sufficiently strict to Siam, is no proof that we have been severe with Quedah. Finally, the *Hurkaru* asks, "What business it was of ours that the ex-Rajah was intriguing with the Siamese?"—To which we will reply none whatever, so soon as it can be shewn that he was not bound to keep his promise to us not so to intrigue while under our protection, and that we were bound to regard the clause of the treaty we quoted on Saturday, by which we were pledged to Siam not to permit such intriguing. Now we think our contemporary will not attempt to shew this, for so to argue is to maintain that no public pledges need be regarded."

So, then, according to our contemporary, although the British Government was perfectly justified in breaking treaty with Quedah, from which state we had derived such benefits, upon some alleged infraction of a treaty stipulation, yet that it is absolutely quixotic, to fall out with the Siamese, because they, contrary to treaty, had merely ravaged a country "under our protection," as the *Courier* says, devastated that country with fire and sword, sold its inhabitants into slavery, ripped open the wombs of pregnant women, committed every imaginable atrocity, under the stipulation to "take proper care of the country and its people," and converted a populous and happy country, into a smoking and a howling wilderness. A singular species of logic does our evening contemporary deal in. Hegmay publish a new edition of Grotius, with great edification to the world at large—in which he may clearly prove that a *casus belli* may be clearly made out in the instance of a farthing on the bale, imposed upon cotton goods; but that the wombs of ten thousand pregnant women ripped up, constitute no legitimate grounds for warfare whatever. Our contemporary too, when he can find leisure, may enrich the world with a new edition of Dr. Johnson's Dictionary, in which he may expound the verb "to take care of," to mean, as applied to a nation, "to sell their able-bodied into slavery, and to rip-open the wombs of women labouring with child."—*Hurk. April 1.*

**MR. MASSON'S CORRESPONDENCE WITH THE GOVERNOR-
GENERAL—SIR W. H. MACNACHTEN—CAPT. BEAN, AND
MR. ROSS BELL.**

It may be recollected that we published on the 18th November a series of letters exchanged between Captain Bean, Political Agent in Shawl and Mr. Charles Masson, of dates 25th and 26th September, in connection with the cause of Mr. Masson's detention at Quetta, on suspicion of being an agent in the employment of Russia; and that again on the 2nd of January we published an account, by Mr. Masson, of the attack and capture of Kelat, and the seizure and detention of himself and Lieut. Loveday by the Brahues. The communications related us in the inverse order of the dates of the transactions to which they referred;—the second letter gave an account of events passing between the 1st of May and 26th of September---that is from the time of Mr. Masson's quitting Kurnachee to join Lieut. Loveday at Kelat till that of his departure from him at Mopstung on mission to Capt. Bean: the first again detailed his arrival at Quetta with overtures from the Brahues, and letters from Lieut. Loveday pointing out the precariousness of his position; and the singular conduct of the Political Agent in refusing Mr. Masson's return to those by whom he had been deputed on a message of peace; and concluded with an account of a letter having been written to Sir W. Macnachten, pending the reply to which he was compelled to remain inurance. The following faciculus opens with the Envoy's answer to this, and contains specimens of a correspondence as singular, we will venture to affirm, as any which ever found a place in any newspaper in India. The remarks appended by Mr. Masson were, in the MS as it reached us, placed in the form of marginal notes to the passages in the official letters to which they refer. The arrangement, thus given miserably improves the effect of the commentaries, but so interrupted the continuity of the reading and rendered and complicated the printing, that we have, on our own responsibility, given them the form of foot notes. The conduct of Mr. Ross Bell has been exactly what we expected that it would have been in a case whose merits seemed so clear and apparent;---we understood that he has written to the Supreme Government of India an application to procure for Mr. Masson in compensation for the injury and loss he has sustained; and that he has requested Sir W. H. Macnachten to reinforce his application! The conduct of the Cabool envoy is, we confess, something very wide in lead of what we should have looked for;---while in that of Capt. Bean, besides the most extraordinary marauding that is manifest, there are some circumstances so gross, that the public will require more light on the subject before he stands excused.

To C. Masson, Esquire, Quetta.

SIR,-- I have received your letter dated the 29th ultimo, and in reply, I have the honour to acquaint you, that I did authorize Capt Bean to detain you at Quetta until the pleasure of the Governor General in Council should be ascertained as to your

being permitted to prosecute your travels in countries subject to the Crown of Cabool, since, so far as I know, you are without permission to do so either from the British Government or from His Majesty Shah Shooja-ool-Moolk.

I have the honour to be, Sir, your obedient servt.

(Signed) W. H. MACNACHTEN.

Cabool, 10th October. 1840. Envoy Minister.

To His Excellency Sir W. H. MACNACHTEN, Bart.
Envoy and Minister at Kabal.

SIR,---I had the honor to receive yesterday evening (the 26th) through Captain Bean, your favor of 10th instant, under a disagreeable

It might have been perfectly satisfactory to me to be informed that I was detained at this place, pending the signature of the pleasure of the Governor General in Council as to whether I should be permitted to prosecute my travels in countries under the crown of Cabool, as I certainly have not the permission to do so, either from the Government or from His Majesty Shah Shooja-ool-Moolk, and I am very much surprised to discover that such permission is necessary.

Yet while I might understand my detention on such grounds, however I may be surprised at them, there are other circumstances connected with it, which I am not so well able to comprehend, and which, as they tend to affect my character as a loyal subject, I feel bound in duty to myself, and to my friends, and to my creator who made me an honest man, to have cleared up.

I cannot that the first intimation I received of this singular business was from the concluding paragraph in an official letter addressed by the Political Agent at Quetta to Lieut. Loveday, in which there was a clear and distinct intimation that my appearance at Kalat was connected with the revolt in the country, and the Political Agent unequivocally stated that suspicions had arisen in his mind, which he had not failed to communicate to Government.

However these suspicions really originated, atrociously unjust and absurd as they were, I must do Lieut. Loveday the justice to avow that he took the first opportunity of setting the Political Agent of Shawl right with regard to them, and of instancing my devoted conduct and self-sacrifice at Kalat.

I can but believe, and I think I have every reason to believe, that these suspicions of the Political Agent, have as much to do with my detention, as the hypothetical question of my having permission from the Government or from the King of Kabal to travel or not, as it must occur to every rational man, that the communication of these suspicions to your Excellency by the Political Agent, induced you to authorize him to detain me.

As the Political Agent has asserted that he communicated his suspicions to the Government, I have been forced to address the Government in my vindication. I have also applied to his Lordship the Governor General for permission to travel, if necessary. Whether this be granted or not, is comparatively of trifling moment; not so, however the refutation and exposure of the grave, although silly, suspicions of the Political Agent in Shawl and I must endeavour to compel him to prove that he had reason to entertain them, or to show to the world that he has done a gross injustice.

Accompanying your favour under acknowledgment was a letter from the Political Agent, a copy of which I forward as also of my reply thereto.

Presuming the pleasure of His Lordship the Governor General in Council will be indicated to me, although your Excellency in the first instance, and in the second through the Political Agent, if may be as well, if you could tell him to furnish me with it as soon as received by him, as living within a hundred miles of his residence, there can be no occasion for him to detain the communication so long, as judging from dates, he appears to have done your present favor.

I have the honor to be,

sir, your most obdt. servt.

(Sd) CHAS. MASSON.

Quetta, 27th October, 1840.

Quetta, 29th October, 1840.

SIR,—I had the pleasure to address you in the early part of the present month, and requested you to obtain His Lordship the Governor General's permission for me to travel in these countries, if necessary. Most assuredly I was not aware of its being so, and when I set out from Kabul for this part of the world, it never occurred to me to solicit the sanction of His Lordship; neither, while it did not strike me as requisite, could I have entertained the least notion that His Lordship should, by any possibility, have had my objection to me following in that respect my inclinations.

A letter received on the 27th instmt. from the Envoy and Minister at Kabul, (of which I send a copy) instructs me that His Lordship's permission is necessary, or so considered by that functionary.

I take the liberty of forwarding a copy of my reply to that letter, and at the same time of withdrawing my request for permission to travel, willing to leave that point entirely to His Lordship's decision uninfluenced by any expressed wishes on my part.

While I should avail myself of His Lordship's permission, as I should have entreated it before had I known it to be necessary, I must still say, that if the prosecution of my travels be dependent on the will and pleasure of the Envoy and Minister at Kabul, the gratification in carrying them on will be much diminished.

I need not trouble with many remarks on the other topics introduced in my letter to the Envoy and Minister. It was a good notion to connect my presence at Kabul, with the revolt in the country, and when the mistake was discovered, to justify my retention on the plea of my having no permission to travel. So unfair and unmanly a procedure carries on the face of it its own condemnation.

I have the honor to be, sir,

your most obliged obdt. servt.

(Signed) CHAS. MASSON.

To J. R. COLVIN, Esq., Private Secretary.

No. 1140.—Confidential Department.

To MR. CHARLES MASSON.

SIR,—I am directed to acknowledge the receipt of your letter of the 30th September last, and in reply to forward for your information the annexed copy of a letter addressed on the subject to Mr. R. Bell, the Political Agent in the Upper Scinde.

I have the honor to be, sir,

your most obedient servant,

(Signed) T. H. MADDOCK,

Secretary to the Govt. of India.

Fort William 9th Nov., 1840.

(Copy)

To R. BELL, Esquire, Political Agent Upper Scinde.

SIR,—I am directed to forward to you copy of a despatch of October 3th, from Sir W. Macnaghten, and of its enclosures, together with copy of a letter from Mr. Masson dated the 30th September, and to request that you will make the earliest enquiries with a view to clear up whatever may have borne a suspicion is apperance in Mr. Masson's proceedings during the recent events at Kabul and its neighbourhood, particularly attending to the marked difference attested to have been shown by the Brahmans in the treatment of Mr. Masson and Lieut. Loveday, and to the statement of Capt Baan "that on a few occasions of Covids having been plunished, Mr. Masson admitted that he was sent far to interpret the contents of papers and letters in open durbar;" as also his (Capt. Baan's) correspondence with Lieut. Loveday.

2. Mr. Masson will be informed that the subject has been thus placed in your hands, and under any circumstances His Lordship is disposed to believe, that it will be advisable that that gentleman should not at present continue to prosecute his travels in the Afghan and Belooch countries, but if you should be satisfied that no important inconvenience is likely to follow a permission to Mr. Masson to pursue his own wishes in that respect, you are at liberty to act upon this view, after communication with Sir W.

Macnaghten, otherwise you might facilitate his early return to Bombay.

I have the honour to be, &c.

(Signed) T. H. MADDOCK.

Secy. to the Govt. of India.

(True Copy.)

(Signed) T. H. MADDOCK,

Secy. to the Govt. of India.

Port William, the 9th Nov. 1810.

No. 1.

Mr. Masson, Quetta.

Sir,—I have the honor to acquaint you that I have received instructions from the Government of India, to enquire into the causes which led to your detention at Quetta.

In your letter to Mr. Officiating Secretary Torrens, dated 30th September, I observe that you refer to a letter addressed by Major Outram to Captain Bean, as the cause from which the suspicions entertained by the latter officer originated. I have therefore addressed Major Outram on the subject. In the mean time there is one point referred to by Captain Bean, the nature of which will best appear in the following extract of a letter addressed by him to Sir W. Macnaghten, dated 26th September.

Extract—"With regard to himself, he (Mr. Masson) admitted that on all occasions of a Kossid having been plundered, he was sent for to interpret the contents of papers and letters in open Durbar, as also mine (Capt. Bean's) correspondence with Lieut. Loveday."

I shall feel obliged by your explaining this point, stating particularly whether you placed the enemy of the British Government in possession of any information which could be useful to them in the offensive operations which they were carrying on, or which could have induced them to treat Lieut. Loveday, then their prisoner, with increased rigour. I also request that you will make me acquainted as far as your memory serves, with the general tenor of any letters you may, under whatever circumstances, have been interpreted Darogah Gool Mohamed or others of Meer Nuseer Khan's party.

I would point out to you how important the question above referred to, is to your own character as a loyal subject of the British Government, and the necessity of your recording as full an explanation as your memory, in the absence of records, admits of.

In conclusion, I shall feel obliged by your stating what are your wishes with regard to your future movements, and in the event of your desiring to prosecute your travels in Central Asia, that

you will make me acquainted with the line of country it may be your intention to pass through.

I have honour to be, Sir,

your most obedt. servt,

(Signed) ROSS BELL,

Political Agent U. S.

Political Agency, Sukkur, 11th Dec, 1810.

Quetta, 21st December, 1840.

Sir,—I have the honor to acknowledge the receipt of your dispatch in duplicate of the 14th instant, received yesterday morning, informing me that you had received instructions from the Government of India to enquire into the causes of my detention at Quetta, of the which I had been previously apprised by a letter from the Secretary to the Government of India, which reached me some days since.

I did not address you at that time, being diffident as to the propriety thereof, and also wishing to avoid even the appearance of bespeaking or soliciting your favorable consideration of my case, yet am I very glad to be afforded the opportunity of giving in explanation on the points adverted to both in your dispatch and that of the Secretary to Government.

With respect to Major Outram, to whom you have written, I have already had the gratification to receive the most satisfactory assurances that he was in no wise concerned in bringing about my detention, although Captain Bean most unfairly told me on my reaching Quetta, that his suspicions had originated from a communication made to him by Major Outram respecting a Russian Agent in Kej.

The Political Agent in Shawl, further told me, that lest I might suspect Lieut. Loveday of having written to him any thing against me, on the contrary, that officer had, when referred to, on account of Major Outram's communication, replied that he had heard nothing of a Russian Agent, but that Mr. Masson had arrived at Kalat, on his travels, and had given him a good deal of valuable information.

As regards the extract from Captain Bean's letter to Sir W. Macnaghten, with which you have obliged me, it is impossible for me to express, I will not say surprise, but my distrust it. Capt. Bean after having discoursed with me, under the idea, I suppose, that I was a Russian Agent, and had marched with an army of Arabs to replace the son of Mehrah Khan upon the musnud of Kalat, and having pertinence found that his ideas were erroneous, asked me whether I had read public letters. I replied no, I had not read public letters, but that on two occasions when Daks had been brought into the camp, I had been sent for to witness them, that I might return and tell Lieut. Loveday the mischief that was doing, that he might be induced to make peace; and I think I explained that the British imagined that Lieut. Loveday could if he pleased come to terms with them, which whatever they were would be ratified by his superiors; and they also conceived that Feringhes were to be defeated by intercepting their correspondence. I did not enter into further particulars with Capt.

Bean, who indeed put the question in a low undertone, which mislead me as to his attaching importance to it: now that he was presumed so ungenerously to torture my expressions, it behoves me, as you request, to offer the fullest explanations of these otherwise trivial circumstances, which I am capable of doing.

The first time I was sent for, without knowing for what, but as it proved to witness the captured Dak, was led to the Darogah's tent, some twenty yards, if so much, from the place in which Lieutenant Loveday and myself were confined. The Darogah was sitting there with a mob of low persons about him, none of the superior chiefs of my race, consideration being present. He told that three Kinds had been murdered with the papers, (which was a falsehood), and recommended me to advise Lt. Loveday to make peace, and put a stop to such evil. The Dak was composed of the fragments of an old one from Quetta, is singularly enough one of the two or three official letters or documents preserved, was a copy of Lieutenant Loveday's despatch to Captain Bein immediately after the entry of Mehrab Khan's son into Kilit. This caught my eye, but so far from being asked to read it or any other letter, for their knowledge, I was not allowed to take them into my hand---if any of the people about, threw a paper before me, the Darogah snatched it up---I was not detained above three minutes, when I was directed to return to Lieut. Loveday.

On the next occasion I was led to the young Khan's tent where besides the young but himself, were the Darogah, Mithomed Khan, Elterza of Kotia, and a great mob of people. A large Dak was scattered before them from India, as it comprised a large number of newspapers. I was then told that three or four Kinds had been murdered with the Dak, and was again admonished that it was advisable to make peace. Here I was scarcely sent for to interpret letters, as I was not asked to do so by the pupils, who were however busy themselves in ferreting among the papers, and the Darogah, disbelieving what he said was a Bazar in Persian. The low people took up letters and threw them before me, asking "what is this?" "what is this?" and I threw them back to them. I said they were letters from men to their fathers, mothers, brothers, sisters, sons, daughters, and so forth, and did not concern them, on which they grew enraged, and saying what was true, that I bantered them, vowed they would cut me to pieces. The Darogah who had got into the middle of a Persian letter, threw it away, saying it was "befaidah" or "profitless," rose, and ordered me to be led away. On this occasion, Khalikind, a Babi merchant known to be friendly with me, was sent for, and when I went away he explained to the angry Brahmans that among Feinglies it was infamous for one to read the letters of another, and that great men would die rather than to do it. On telling Lieutenant Loveday what had happened, he enquired why I had not asked for the newspapers. I answered, I would not allow them to think me of any unimportance.

In this Dak was only one official letter, an unimportant one concerning grain, written I think by a commissariat officer at Ferozapore. On

mentioning this to Lieutenant Hammersley at Quetta, he accounted for it by nothing that public documents had been for some time sent round by Kidal. The private letters were some opened, and so one unopened neither were any of those in the latter state opened in my presence; indeed the newspapers from their bulk were the principal objects of curiosity.

I will not trespass on your time by animadverting on the injurious inferences to be induced by the insidious manner in which the Extract of Captain Bein's letter is worded, or by deprecating the malignant spirit which must have actuated him, because I feel that you have to decide upon my conduct and not upon his---neither can it be necessary that I should point out to you, how innocently a prisoner might be, as regards himself, when sent for to interpret letters, however criminal he might be but he interpreted them---and I have no doubt it will strike you that Captain Bean would have made out a better case, had he been enabled to have informed Sir W. Macnaghten that I had interpreted letters, which luckily my firmness and presence of mind did not permit.

Captain Bein had also stated in the same Extract that I interpreted, or rather that I admitted, that I had interpreted his own correspondence with Lieutenant Loveday. I cannot call to mind the admission, neither do I recollect this having questioned me on this particular point, but it is immaterial, for if he only inferred so, he has inferred in some degree justly for limiting them to be attached to the word interpret, but on two occasions read in a certain manner his letters to the Darogah, with the full and entire concurrence of Lieutenant Loveday himself.

The first occasion was at Kirez Ammullah near Mastung, when the Darogah joined the young Khan from Kelat, and brought with him a letter from Captain Bean to Lt. Loveday---some time after his arrival, he came and sat down upon a carpet about fifteen or twenty paces from the tent in which Lieut. Loveday and myself were.---He sent for me, and telling me to sit down, informed me that Bein had sent him a letter, and pulling out a packet addressed to Lieut. Loveday asked me to open it. I appealed to him that it was improper I should do so, and prayed him to send for Lieut. Loveday who was so near, as he was the person to read the letter and not myself. He said he would not send for Lieut. Loveday I then prayed him to allow me to go and show the letters to Lieutenant Loveday, when I would return and read them to him. He refused. I then asked him to permit me to go first to Lieutenant Loveday, and he said "you may go." I stepped into the tent, and Lieut. Loveday told me by all means to open the packet and telling the Darogah as much only as was fitting for him to know, to make myself well informed of the contents. On my return as I opened the packet, I enquired of the Darogah what Dean Sahib had written to him. He answered that he had written very unapologetically, but left an opening for accommodation if they sought it in humility. After reading the letters, I said he had written exactly the same here, which was the fact. The Darogah told me to say precisely what he had written, and I explained to him, not word was

written, but something near the purport of what he had said to be in his own letter. He then desired me to read the letters in English, which I did, omitting proper names, and he smiled: afterwards, put the letters into my pocket to take to Lieutenant Loveday, telling him that as I had read them it was useless to withhold them, but he made me give them back. Some four or five days after, the Darogah set the letter to Lieutenant Loveday with the letter addressed by Captain Bean to himself (the Darogah.)

No further letters reached from Captain Bean until the arrival of Sayad Moharuk Shah in the camp, deputed from Quetta. On this occasion, Darogah in the evening sent for me. I observed to Lieutenant Loveday, that I suppose I shall be asked to read letters if there are any. He replied, read them. I found the Darogah with Sayad Moharuk Shah, and in the act of telling him that the reason he sent for me was, that he could not endure the sight of Lieutenant Loveday, who, as he said, had eaten human beings with his dogs. Captain Bean's letters were produced, and after ineffectually striving to prevail on the Darogah to send for Lieutenant Loveday, I told him and the Sayad that I was authorized to open them and did so. I read such of the contents, and in such a manner, as no harm could arise, and there was matter in these letters which it was prudent to conceal; after which the Darogah tested me in his fashion by asking me to read them over in English, which I complied with, omitting proper names, and repeating any thing which occurred to memory. I then became so urgent that he should send for Lieutenant Loveday, that he yielded, first asking me if he was collected on himself—allowing to a fever which had lately afflicted Lieutenant Loveday. On this night the Darogah talked so reasonably that Lieutenant Loveday was much pleased, and through the intercession of the Sayad the chains employed by night, which above all other things annoyed Lieutenant Loveday, were removed.

The arrival of Moharuk Shah led to renewed communications with Captain Bean, whose answer to the young Khan brought about the excitement and bad feeling among the Brabuis, which indeed some people to interfere, so that I was allowed to leave Mustang for Quetta with a letter from Lieutenant Loveday to Captain Bean, representing the critical situation in which he was placed.

Having now explained the various times and occasion on which the Darogah sent for me about dates and letters, I must leave the question for you to decide whether I placed the enemy of the British Government in possession of any information which could be useful to them in offensive operations which they were carrying on, or which could have induced them to treat Lieutenant Loveday, then their prisoner, with increased rigour.

In the letter of the Secretary to Government to your address, of which I have been sent a copy, I observe that you have been desired particularly to attend to the marked difference shown by the Brabuis in their treatment of Mr. Masson and Lieutenant Loveday. I presume this instruction to arise from another invidious representation of the Political Agent in Shawl, yet it does not

the less behave me to reply to it. That I was generally considered innocent of the crimes real or fancied, imputed to Lieutenant Loveday, there can be no doubt, but that such consideration affected treatment while a fellow prisoner with Lieutenant Loveday, is by no means true. That unfortunate officer was provided with many things which were not bestowed on me. The young Khan sent him while in the Miri, his Postin, (deprived however of some jewels sewn on it) a chair and other things. He was further supplied with a cot to repose upon, and a pillow to rest his head upon; I had nothing of the kind—On the journey to Mustang, his camel was furnished with a proper saddle, and stirrups, I had neither saddle nor stirrups; and even after reaching Mustang, the Darogah supplied him with sheep, independent of the daily provisions from the young Khan's kitchen, whenever a wish was expressed for them. Other people, as the Duvan Runu and Moladad the keeper, brought him clothes, some of his own, some purchased, but no one brought me any; and when some willing to have befriended me, strove to induce the Darogah to be still more attentive to the accommodations of Lieutenant Loveday, that they might have found a pretence to supply me with necessaries they were silenced by the reproaches of that inexorable old man, who referred them to the manner in which Rehman Lal and Nub Mulli Hussain had been carried off from Kait.

In reply to the concluding paragraph of your letter under a knowledge, not, as my wish, with regard to my future movements,—with my concern that the entire loss of my property at Kait, his somewhat puzzle me, independent of other considerations, I feel I should in any case be compelled to retire to the coast for the winter, at least—I should also be pleased to revisit Kait, under the hope of recovering some of the MSS. I have lost.

In conclusion I beg to assure you that I am quite alive to all the questions referred to in your dispatch, as important as affecting my character as a loyal subject of the British Government, and while I feel the greatest indignation against those whose dark and sinister views have occasioned them to be mooted, so do I feel satisfied and confident that my assailed character will, in your hands, be successfully vindicated.

I have the honor to remain, sir,

your most obedient servant,

(Signed) CHAS. MASSON,

To ROSS BELL, Esq. Political agent, Upper
Sinde—Hurk March, 21.

No. 2.

To Mr. Masson, Quetta.

SIR,—I have the honor, with reference to my letter to your address of the 14th instant, to acquaint you that I have this day requested the Political Agent Quetta to afford you an opportunity of recording any explanations you may consider proper, regarding such circumstances

connected with your proceedings as may have appeared to him to be peculiar. It will be out of my power to pass any decided opinion until Captain Bean's answer, accompanied by our explanation, shall have reached me. In the mean while, it is possible that you may not be desirous of proceeding into Afghanistan, and as it is not in my power, under the orders I have received, to authorise you doing so, until the question now before me shall have been finally decided. I think it right to acquaint you that, should you be desirous of returning towards Shikapore no objection exists to your doing so, should you so wish, therefore I have requested Captain Bean to provide such protection as shall come you under passage through the Bolan pass. At the same time, I beg you will not consider this letter as conveying any wish on my part that you should adopt a particular course—It being only written with a view to prevent any, as far as lies in my power, from being urged to my temporary detention that can be avoided.

I have the honor to be, sir,
your most obedt servt,

(Signed) ROSS BELL

Political Agent, Upper Sindh

Political Agency, Sukkur, 22d Dec 1840

To Mr Masson, Quetta

Sir,—At the request of Mr Ross Bell, Political Agent in Upper Sindh, I have with forward a statement of circumstances which led to your detention at this place, and I trust you will be good enough to send it by a transmission to the Political Agent in Upper Sindh, any reply you may think necessary to make to the statement I have referred to.

I have the honor to be, sir,

your most obedt servt,

(Signed) J D D BRAN,

Political Agent.

Political Agent's Office, Quetta, 2d Jan, 1841

To Ross Bell, Esq, Political Agent Upper Sindh,

Sukkur.

Sir,—I have the honor to acknowledge the receipt of your letter of the 22d ultimo, with enclosed copy a letter to the address of Mr Masson, but those from Major Outram were omitted however, as I feel confident they can have no reference to the cause of Mr Masson's present situation, I have, to prevent unnecessary delay entered at once on the statement, which shall be forwarded to Mr Masson for his reply, although the whole has been already set forth in my communications with Sir Wm Macnaghten, and which you have in your possession, in May 1840, I received a note from Major Outram, who mentioned a report brought by a Hindu of Hyderabad of some European with 200 Arabs having landed at Gwaddul, and who gave out that he was going to assist the Khan of Kelat.

Major Outram asked if I knew who it could possibly be, and recommended my ascertaining.

I accordingly wrote to the late Lieutenant Loveday, to make every enquiry into the circumstance—Soon after it is Lieutenant Loveday intimated the arrival of Mr. Masson, on the 6th June 1840, at Kelat, whom he stated I was travelling for his own information, and was going on to Candahar. In another note I received from Major Outram, dated 1st June 1840, he remarks, "I should like much to know who those fellows are who landed at Gwaddul on pretence of going to Krdjee to assist Shah Nawaz. I suspect there is some roguery at the bottom of it." This I received on the 15th June. I again intimated Lieutenant Loveday on the subject, and he told that Mr. Masson has no letter to him. He then through Luv, he might probably be able to throw some light upon the subject of the report intimated by Major Outram. In reply to him, Lieutenant Loveday stated that Mr. Masson had taken leave of him some time since for the purpose of proceeding on to Candahar. (a) On the 30th of July 1840, Lieutenant Loveday intimated to me as follows—"Mr. Masson is with me, it appears that he was still lingering in Kelat, and when the bell broke out he hid himself somewhere—next he called on I sent for him to my quarters, and he had been for the last ten days." (b) This circumstance I compared with the contents of the accompanying copy of a letter from Mr. Masson which at Kelat, but nothing so strongly the interest he took in the affairs of the young Khan and the rebel Sulur, I could not avoid regarding my suspicion of the integrity of the motives Mr. Masson appeared under at Kelat, more particularly as no intimation of that gentleman's intention to travel through these countries had been noticed by authorities, whose previous sanction I considered should have been obtained. (c) The fact also of the difference of treatment observed towards Lt. Loveday and Mr. Masson, the former having had no arms put on him at night whilst the other was fired at. (d) Having made the Envoys and Ministers acquainted with the foregoing circumstances, I intimated that should Mr. Masson fall into my hands to detain him here until the pleasure of Government should be ascertained regarding him. (e) On the night of the 24th of Sept 1840 Mr. Masson appeared as the bearer of a letter from Lieutenant Loveday, intimating the expressions of the British sirdars, and urging that some pledge should be given by me of the restoration of Cutchee, that he had obtained permission for Mr. Masson to proceed to explain to me their true situation but on questioning Mr. Masson as to whether he had been deputed in any capacity to wait on me he declared that he scarcely knew how he came, that he was hurried off, with the note he brought and without any instructions. On the following morning I intimated to Mr. Masson that there was no occasion for his returning to Mustung (which he appeared anxious of doing) but that it would be necessary for him to remain here until instructions should be received concerning him. (f.)

In conversation with Mr. Masson I observed, that he ought not to be surprised at suspicion being attached to persons travelling in disguise, particularly when he must be fully aware of the

Russian intrigues that had been carrying on in this country. This allusion to the Russians has I observe in some of Mr. Masson's correspondence, been set forth as an identification with some Russian Agent, and which he states to have originated with Major Outram, but which I solemnly declare was never asserted by me.

My reply to your communication of the 13th ultimo will have acquainted you that nothing farther had transpired by which the disloyalty of Mr. Masson as a British subject could be established.

I have the honor to be, Sir,

your most obt. servant,

(signed) J. D. D. BEAN,

Political Agent.

Political Agent's Office, Quetta. 2d Jan. 1841.

No. 59.

To MR. MASSON, Quetta.

SIR,—I have the honor to acknowledge the receipt of your letter dated the 24th ultimo, and in reply to state that the enquiry which I was directed by Government to institute having been brought to a conclusion I consider you entirely freed from the suspicion which was in the first instance attached to you with reference to the late unfortunate events at Kelat, and I am satisfied that your conduct as regards Lieutenant Loveday was actuated by desire to be of service to that ill-fated officer.

2nd. I have no hesitation in acceding to the wish expressed in the conclusion of your letter with reference to your revisiting Kelat, and proceeding thence to the sea coast, and will by this Post address Captain Bean and Lieutenant Colonel Stacy, requesting them to afford you such protection, on your way as may ensure your safe arrival at that place, the road to which is said to be, at some points, infested by small parties of robbers.

3rd. I regret that any misapprehension should have caused you to be so long detained at Quetta, and will submit copies of this letter, and of the correspondence connected with it, for the consideration of the Right Honorable the Governor General of India in Council.

I have the honor to be, &c.

(Signed) ROSS BELL.

Political Agent Upper Scinde.

Post Agency U. S., Camp Shikarpore, 9th Jan. 1841.

(a) In my notice of this portion of Captain Bean's letter, I noted to Mr. Ross Bell that the communications of Major Outram had no reference to me; and if it was intended to make them applicable, I need only remark that the whole story was fiction—Captain Bean having, I am led to think been called to account by Major Outram for

having profaned his name in the business, is anxious to excuse himself—how poorly he does it is evident from his own statement.

Lieutenant Loveday in informing Captain Bean that I had taken leave of him for the purpose of proceeding to Candahar, was guilty of a positive falsehood.

(b) On this extract I was compelled in the notice I took of it to Mr. Ross Bell to remark upon the heartless spirit which it manifested in Lieut. Loveday. It was written at a time when he was telling me that he was bound to represent my exertions and the assistance I had given him to Government. At a time when we were living together in apparent cordiality and when he was even obsequiously civil—indeed I never drank a glass of wine or water that he did not ejaculate "God bless you." From the day on which I joined him he affected to read to me his correspondence with Capt. Bean, and I can call to mind his pretending to read the letter in which this extract must have been contained, as I recollect his reading "Mr. Masson is with me" where of course he stopped and it struck me at the time, that the remark was sufficiently laconic, although I had myself absolved him from the necessity of saying much about me. I think in this same letter Captain Bean was requested, if any letters had reached him for me, to send them. Captain Bean I remembered also in reply stated, that he supposed I should make the best of my way to Shawl, which with reference to subsequent occurrences has since struck me as somewhat singular, although I thought nothing peculiar of it at the time beyond the indication of a little simplicity, for while he seemed to wish to have me at Shawl it did not occur to him to point out how I was to get there.

Lieutenant Loveday's remarks that I was loitering at Kelat, and that I hid myself somewhere, are both contemptible and false; or it admitted any man who reside, at a place may be said to be loitering and any man who lives in a house may be said to hide himself. The same day that the tidings of the massacre of the Munshi and the party of Sipahis at Mustang reached Kelat, Lieut. Loveday removed from his tent without the walls to his house in the town, which he never afterwards left. I continued to reside in a garden as formerly for some days longer, or until the alarm spread, that the rebel force had approached Kelat, when I removed into a house of the Babi suburb among my friends and acquaintance.—As soon as the alarm had subsided, I again went to a garden a little closer to the suburb than the one I had before stayed in. It is I think obvious, that Lieut. Loveday was rather ridden than myself.

The observation that when I heard of it I sent for him to my quarters, and have had him for the last ten days' is not an untruth but an unseemly mode of expressing a fact.—He sent me a most civil invitation to call upon him, and when I did so his explanation of the condition of affairs induced me at once to remain and shall the peril with him, which of course was his object.

when he sent for me. The more readily complied as I had an opportunity of proving to him that my hostility surpassed his hostility while I even hoped to have been useful, for I was aware that the hatred with which he was unfortunately regarded made him literally a prisoner in his house and it was dangerous for him to attempt to leave it, while no such apprehension affected me—who could move freely about, I considered also the defence of the place very possible, and that there was reason to expect that the garrison would not suffer it, for shame's sake, to be taken from them by the people of Shaharwan, neither had I the least idea that Kamal Khan, who had but a month before given his sister in marriage to Shah Nowaz Khan, would have betrayed it.

At a later period when Lieutenant Loveday became informed by a letter from Captain Bean, that suspicions of my integrity had arisen in his mind, which he had communicated to Government—he was much hurt, and as far as he could, testified, to my devoted and honorable conduct. This testimony did not appear in any of Captain Bean's correspondence which I have seen, and if he has withheld it from those to whom in honesty he was bound to have transmitted it, he has only acted in the spirit of unfair hostility which has characterized the whole course of his proceedings. Lieutenant Loveday on the receipt of the letter above alluded to, conscious possibly that his loose manner of mentioning me, had operated on the weak intellect of Captain Bean, said to me, I was surprised you did not go to Candahar as you told me you intended to do—I replied, why were you surprised, you were aware that the Kafilas for whose arrival I was waiting did not reach Kelat until after the revolt broke out. When the road to Candahar became closed as a matter of course.—To this mild rebuke, which was all I made, Lieutenant Loveday made no reply, for none could be made.—I can command abundant as well as undeniable proof that he knew well I was at Kelat, and the reasons which detained me there.

When I first reached Quetta, Captain Bean, either desirous of deluding me to as the causes of my arrest, or unable to explain them, excused Lieutenant Loveday in the most positive manner from having written any thing unfavorable of me—subsequently when that unfortunate gentleman had caused to exist, I became apprised that it was likely to cast upon him the odium of having made such representations as led to the measures adopted by Captain Bean. Supposing Lieutenant Loveday wrote nothing more than has been here recorded, and had he, it is fair to suppose, Captain Bean would have been eager in setting it forth, I think it will be granted that the Political Agent in Quetta must have been animated by an overpowering mania of proving me a traitor, or that he possessed a peculiar susceptibility to suspicion to find any pretence for his conduct in the remarks of Lieutenant Loveday, which although unjust and illiberal, contain no such very serious matter or charges even of any kind.—On the whole I am rather pleased to find that Lieutenant Loveday committed himself no more than I can easily pardon—for although I had no great respect for him for his character when living, I am glad to be spared the discomfort

of reflecting upon his memory with resentment.—To do justice to Lieutenant Loveday I must admit that I do not believe he suspected me of being engaged in any intrigues against the state, or against himself, or against any other person, but he was a little jealous, and being of an awkward temper was annoyed to hear me well spoken of.—He said to me when I called on him in consequence of its invitation, "it is astonishing how well people speak of you—I cannot be so familiar with them as you are, on account of my situation"—During the brief period of the siege my activity also caused a little jealousy, which I could not help seeing although he strove to conceal it from me, and some of his people were afraid that if the place was saved I should have got the credit of it, and they told him so.—As to any tales about Arabs and such trashy nonsense, he was much too intelligent to be deceived by them.

(c) It is very probable that the letter here alluded to by Captain Bean contributed to disturb his evenness of temper, although I had certainly no idea of its producing any so unfortunate an effect when I wrote it—I regret that I cannot give a copy of it, which on writing to Mr. Ross Bell did not perplex me inasmuch as a copy was sent by Captain Bean to that gentleman, and therefore it was not necessary for me to say much about the interest I took in the affairs of the young Khan, and as Captain Bean most craftily adds, "of the rebel sirdars," because the letter itself would explain that the interest I took in the affairs of the young Khan was to more than any person might take, and that the interest I took in the affairs of the rebel Sirdars was none at all, for I never mentioned them. As Mr. Ross Bell was put in possession of a copy of the letter, I contented myself with stating the circumstances under which it was written—which were these—After Lieutenant Loveday and myself had been for some few days confined in the Miri, an interview was brought about between the Darogah and Lieutenant Loveday. It was arranged that Lieutenant Loveday was to write to Captain Bean about peace. The Darogah sat until his patience was exhausted, and as he rose to leave he turned round to me, sitting a little on one side and said "Do you write too?"—I said nothing—Paper was brought for Lieutenant Loveday, and the remainder of the day was spent in the preparation of a letter, to Captain Bean. In the evening it was finished, and Molahdad the keeper took the letter to the Darogah. I had not written nor did I intend to write—Molahdad however returned and asked for my letter. I knew that excuses would not be accepted, and therefore remarked to Lieutenant Loveday that I might as well write something to satisfy them—and on a small bit of paper which had been preserved, I did write—When I had finished I handed it over to Lieutenant Loveday, who read it and saying to Molahdad that it was good, gave it to him, and the packet was again taken to the Darogah. I cannot attempt to state exactly what I did write yet I can, I believe, nearly recollect the substance of the letter—commencing by entreating indulgence for writing at all which I explained I should not have done but for the orders of the Darogah. I proceeded to give reason in

support of Lieutenant Loveday's recommendation to make terms with the young Khan.

What may have given mortal offence to Captain Bean was that I pointed out that the disorders in the country were the consequences of the errors in the arrangements made relative to it---that I believed it had been discovered that Merab Khan was not the guilty person he had been supposed to be---that Lord Auckland had been originally averse to the deposition of that chief, and finally left it a discretionary measure. That having disposed of the father, it would have been only just to have followed the practice in these countries of putting the Son in his place. That Lord Auckland's wish to consolidate the Brahoes was badly accomplished by separating Saharawan from Thalawan, and annexing it to the dominions of the Shah of Kabal, an arrangement so palpably unwise that Mr. Ross Bell, had predicted the future evils to arise from it; all these circumstances I noted as reasons that justice should be done, as Lieutenant Loveday urged, to the son of Mehrab Khan---while there was an opportunity of displaying magnanimity in repairing the errors which had been committed. I may observe that the fact of Lord Auckland having been opposed to the deposition of Mehrab Khan was stated to me both by Lieutenant Loveday and his Munshi Ghulam Hussain. Lieutenant Loveday also read to me a letter or a copy of a letter of Mr. Ross Bell---which the prediction as to the future evil consequent on the annexation of Kachi to the crown of Kabal was announced.

With regard to Captain Bean's notion---that my intention to travel should have been notified to him by authority, I remarked to Mr. Ross Bell that it was so monstrous as to require no comment.

(d) I observed to Mr. Ross Bell that Lieut. Loveday was considered the great prize, and had unluckily incurred so much hatred that it was not deemed necessary to observe any ceremony with him. I had before explained that I was regarded with no particular animosity, and was universally held guiltless of the crimes, real or fancied, imputed to him. It appears to me rather strange that because I was not ironed, that I should be suspected---as if two men fell into the water, and one was drowned, while the other cleared himself---the latter was to be taken to account for not being drowned too---or did Captain Bean wish me to have applied for irons? I had nothing to do with the irons: had they been put on me, I would have said nothing, and must have submitted as poor Loveday was compelled to do.

In my progress from Quetta to Shikarpur, when at Dadur, Molahdad, who had been our keeper, hearing I was in the camp, paid me a visit---I asked him the reason why irons were put on Lieutenant Loveday. He replied at the instances of Khan Mahomed and Yusuf Khan---I asked him why I was exempted---He replied, on account of Taiz Ahmed---I then asked him whether had not Khan Mahomed and Yusuf Khan urged the matter, the Darogah would have put irons on Lieut. Loveday, and he answered that he thought not. I further asked him respecting the treatment of Lieut. Loveday, after I left, and he said it was precisely the same as when I was with him as to

food, &c. but anxiety and poor health had brought him low, and created weakness for food.

He made him prefer little things prepared by Molahdad's people to the repasts brought from the young Khan's kitchen. I enquired whether the Darogah had given orders to slay Lieut. Loveday---and Molahdad replied that he was absent but, thought not,---and then most positively affirmed in answer to another query, that to himself he had never given such orders, even should attempt to rescue be made---Molahdad said, he understood that Mahomed Kasim was the man who slew Lieut. Loveday, and without any other incitement than his own bad feeling---or, to gratify revenge, having lost his brother at the first capture of Kelat.

I may here note, that up to the time when I left Mastung, the Darogah Gool Mahomed was the man who preserved both of us from the vengeance of the Brahoes, amongst whom were many who used to insist that we should be slain by the Darogah, that he should commit himself as fully as they had done by the slaughter of Munshi Ghulam Hussain and the Sipahis.

The insidious mode of expression adopted by Captain Bean, I understand had led to an idea in many quarters, that I was not even a prisoner---my explanations served to set the matter right.

(e) Nothing would give me greater pleasure than to obtain copies of the correspondence which passed between Captain Bean and his patron, the Envoy and minister---as from it, I have little doubt but something of the under plot connected with my arrest would be developed---Poor Lieut. Loveday told me he was aware I was obnoxious to the Envoy and minister, and that he had heard a good deal of me at Shikarpur,---I did not take the trouble of asking him what he had heard---I may confess, that I entertain the conviction that the conduct of both Lieut. Loveday and Captain Bean was influenced by the desire to ingratiate and recommend themselves to the envoy and minister---I have felt for some years that that functionary was inimical to me, and while secretary to the Government, he had it in his power seriously to thwart my views and impede my pursuits, nor did he neglect his opportunities of doing so---I shall lay the proofs before the public, and if they establish what I think they will not fail to do, he must appear a poor miserable fellow.

(f) I noted to Mr. Ross Bell with reference to Captain Bean's assertion, that I was desirous of returning to Mastung, that it did not require a serious denial, as I could but be glad to be rid of so much and extreme peril; but that I had said to Captain Bean if I was to return, I must do so immediately, that I might have a fair chance, for if I were detained a few days and then desired to return why I should refuse to do so. Glad as I was also to have escaped from thralldom and the Brahoes: if Captain Bean thought that any benefit could arise, or that I was morally bound to return, I would not urge personal considerations and if necessary devote myself---Captain Bean said you must stay as you have brought no letter from the Darogah Gool Mahomed---I hardly knew what he meant, but had I brought a letter from the Darogah Gool Mahomed I presume it would have been

a special proof of my delinquency, where is his given name, and his title, other persons given me letters, I should have brought them all, nor have even imagined that I was blamable.

His assertion that I declared that I scarcely knew how I came, is untrue. I knew very well how I came, and detailed to him in the most minute manner all the incidents connected with it, and he even took down the name of Kua Harui, the man most prominently instrumental in bringing my departure about.—what I told him was that I was surprised that I was summoned to go at all, and that when I did go, I was not taken to see the young Kabu and the Dmogh before starting.—nor the reason why any hurry in the business, for at a break Kua Harui told Lieut. Loveday to prepare a letter to Capt. Bean, and myself to get ready to take it; while it was not until noon and I had been desired to put aside of our report that I left Mustang, long after the letter was ready. Captain Bean's assertion that he told me I must be man at Quetta until instructions had been received is also untrue, for he did not venture to tell me so. He told me merely he had selected a apartment in the town, and it was not until I arrived there and found that four armed men were placed over me, that I knew I was a prisoner.

C. M.

Bombay Times, March 13]

Having now laid before our readers the conclusion of the correspondence, that has passed between Mr. Charles Masson and certain Political officers, resident in Simla, Cabul, and Shawl, we shall proceed to offer such remarks, as the publication seems to call for from every independent journalist.

We do not enter upon this task without certain misgivings, resulting from the connexion of one now so much with the circumstances of Mr. Masson's arrest, and the largely correspondence regarding it. It is unfortunate for Mr. Masson that the grave should have closed over poor Loveday, for now whatever relates to the conduct of this unfortunate officer must be regarded even by those, who are most disposed to place credence in Mr. Masson's narrative of events, as an *ex-parte* statement. Whilst others, we fear, will not hesitate to censure Mr. Masson, for speaking reproachfully of one, who cannot stand forward to answer the accusations, which have been brought against him. The sufferings of the ill-fated Lieutenant Loveday, and their most lamentable termination have very naturally awakened, in no ordinary degree, the sympathies of the public—against these sympathies Mr. Masson will find it difficult to contend, and when he is considered in connexion with the deceased officers, whose dangers he shared, there is but little chance of an impartial hearing being given to his case. He may be strong in truth; but the answer will be, "You are, bringing charges against one, who cannot reply to them—you should not speak against the dead"—and an unmerited suspicion is attached to the man, one of whose greatest misfortunes is that the party accused by him is beyond the reach of all human accusations. Nor

does the evil stop here: for many who would have sympathized with Mr. Masson, in the misfortune, which he has endured, and who would have felt indignant at the treatment to which he has been subjected by the Burgomasters of Shawl and Cabul, will withhold their sympathies, when they find him censuring the conduct of Lieut. Loveday, as well as that of Captain Bean and Sir Wm. Macmagnien. This, we repeat, is very unfortunate—but Mr. Masson must make up his mind, for the present, to be rashly judged on this account. Whilst the sufferings and the sorrowful end of poor Loveday are fresh in the public mind, Mr. Masson will not be able to expose the errors of this ill-fated young man, without exciting the public indignation Mr. Masson must, therefore, submit patiently to the injustice, to which he will be subjected. We do not hesitate to say injustice—because, circumstanced as he was, it is impossible to condemn him for coming before the public with the fullest vindication of his conduct, that it was possible for him to offer. He had been arrested—and placed in duress, on account of some alleged acts of treachery on his part; and who can blame him for explaining away, in the fullest and most satisfactory manner, all that appeared suspicious to the piercing eyes of the Political Agent of Shawl? It was necessary to this full and satisfactory explanation that certain references should be made to the conduct of Lieut. Loveday. It was, we are sorry to say, mainly by certain representations made by this unfortunate young officer, that the suspicions of Capt. Bean were excited; and it would have been impossible for Mr. Masson to have exculpated himself, without referring to what had really passed between him and his companion at Khelat. We must entreat our readers, therefore, to do full justice to Mr. Masson, and not to suffer their generous sympathies with the sufferings and sorrow for the early death of poor Loveday to wrong one, who did his best to save him, and who would not, we are sure have breathed a syllable against him, but in emergent self-vindication.

It will answer our purpose sufficiently well to remark that it was mainly owing to the representations of Lieutenant Loveday, that Mr. Masson was placed under arrest at Quetta. Captain Bean, it appears, did not identify the harmless antiquarian with the terrible Russian agent, who had created so much alarm in the breast of his brother-Political, Captain Ontram—not did he, it appears, place Mr. Masson under arrest, without receiving instructions to that effect, from the Minister and Luvoy. Mr. Masson says that Captain Bean was "arrested by an over-powering minority of proving him a traitor, and we must confess that in our opinion, he does not very much over-shoot the mark, when he gives his explanation of the agent's conduct. The fact is that Captain Bean, though not to be censured for detaining Mr. Masson in accordance with the instructions of his superiors, betrayed some weakness in giving such hasty credence to the statements of Lieutenant Loveday, and displaying thereby suspicions of a much stronger nature than those harboured by that unfortunate officer. Lieutenant Loveday for some time previous to his death, had been suffering from fever, accompanied with delirium, and we can not but regard some

of his statements, relative to Mr. Masson, as the out-pourings of feverish delirium. Upon these statements Mr. Masson was condemned. The Envoy and Minister ordered his detention, pending a reference to the Supreme Government—a proceeding upon his part, which we are compelled to characterize as unnecessarily harsh and cruel. Mr. Masson presented himself at Quetta, in the character of an Envoy, bearing a message of peace, and to his great astonishment, after leaving Captain Bean's presence, found himself a prisoner, with a guard of four placed over him. Surely, Sir Wm. H. McNaghten might have taken upon himself the responsibility of releasing Mr. Masson, after ascertaining as he might easily have done, the harmless nature of the Antiquarian's pursuits. The reference to the Supreme Government was uncalled for and cruel; it necessarily involved the detention, under most vexatious circumstances, of Mr. Masson, for at least two months, at Quetta, when he was naturally anxious to take what steps he could to recover some of his lost property. Sir W. H. McNaghten must have been thoroughly acquainted with the character of Mr. Masson, before receiving the letter from Captain Bean announcing that gentleman's suspicions, and it behoved him not lightly to have given credence to such improbable reports, injurious to the character of one, whose name must have been long known to him in connexion with Afghanistan and Scinde. Had any doubt existed in his own mind, a reference to Sir A. Burnes, whom he might have consulted, would have cleared away all his suspicions—he is not a man to shirk, when it suits his purpose, responsibilities of a far more serious nature, and yet, in a clear, simple case like this, there must be a reference to the Supreme Government. The stuff about Mr. Masson travelling through Scinde, without permission from either His Majesty's (i. e. the Envoy) or Lord Auckland, was evidently an after-thought, and certainly furnished no reasonable pretext for placing the antiquarian under restraint at Quetta, with a military guard over him. If there were any points in Mr. Masson's conduct at Khelat, apparently of a suspicious character, the Envoy should at once have called upon Mr. Masson for an

explanation. But instead of this the Minister at Calcutta writes to the Supreme Government at Calcutta, and the Government Secretary at Calcutta writes to Mr. Ross Bell in Scinde, and Mr. Ross Bell, after Mr. Masson has been some months a prisoner at Quetta, institutes the necessary inquiries, and the result is that the unfortunate antiquarian was "entirely freed from the suspicion attached to him," and permitted to return to Khelat*—Mr. Ross Bell expresses his regret at Mr. Masson's detention and the unfortunate *détenu* takes his departure for Bombay. We do not know what our readers may think of all this—but it appears to us that the Minister and Envoy cuts rather a sorry figure in it, and, moreover, it seems likely that he will soon cut a more sorry figure still, if Mr. Masson fulfill the promise contained in the following extract from his notes:—

"Nothing would give me greater pleasure than to obtain copies of the correspondence which passed between Captain Bean and his patron, the Envoy and Minister—as from it, I have little doubt but something of the under plot connected with my arrest would be developed—Poor Lieut. Loveday told me he was aware I was obnoxious to the Envoy and Minister, and that he had heard a good deal of me at Shikarpore—I did not take the trouble of asking him what he heard—I may confess, that I entertain the conviction that the conduct of both Lieut. Loveday and Captain Bean was influenced by the desire to ingratiate and recommend themselves to the Envoy and Minister—I have felt for some years that the functionary was inimical to me, and while secretary to the Government, he had it in his power seriously to thwart my views and impede my pursuits; nor did he neglect his opportunities of doing so—I shall lay the proofs before the public, and if they establish what I think they will not fail to do, he must appear a poor wretched fellow."—*Hurk. March 25.*

* The *Englishman* was very facetious, when we announced this—we refer him therefore to the 2nd Paragraph of Mr. Ross Bell's last letter.

HINDU INHERITANCE.

We lately took occasion to pass some remarks upon the policy and expediency of the interference of Legislature of India with the existing law, touching the forfeiture of inheritance by a Hindoo in case of a renunciation of the Hindoo creed. We observe, that the agitation of this subject, has alarmed the vigilance of the Durma Sobha, who have nominated a Sub-Committee, to prepare an application to Government, deprecatory of any alteration in the existing law. We admire consistency, even in a bad cause, so long as it can be supposed to emanate from a conscientious conviction of right, and as we are bound to presume the influence of this conscientious conviction in the Durma Sobha, we cannot blame them for exerting their energies in order to prevent that which, according to the opinion of their worthy Secretary, will put an end to the Hindoo religion. The *Courier* has aptly remarked upon this expression of the Secretary of the Durma Sobha, that it is tantamount to an acknowledgment that men are bound to the Hindoo creed, only by considerations of personal interest; and that were the apprehension of forfeiture of goods and chattels, and real property, removed, seeders from the Hindoo faith would become numberless. This construction may undoubtedly be put upon the literal expression of the Durma Sobha Secretary, but we do not think that probably it was what he meant. He intended to say that by such an infraction of the Hindoo law all security guaranteed by the Government, to the Hindoo creed, was at an end; and he meant thus to imply that a breach of faith, being thus perpetrated by the Government towards the observers of the Hindoo creed, the key-stone of the arch, so to speak, was destroyed, and the fabric would necessarily crumble into ruin. We doubt not that this was the meaning of the worthy Secretary, and that the *Courier* has attributed to him a meaning more consistent with truth and reality, than at all entered into his own speculation. But as it is said, that there are many serious truths, spoken in jest, so we believe the Secretary to the Durma Sobha, without at all intending it had predicted truly---that is to say, without intending it *sub modo*. We doubt little that the Law which shall abrogate the persecuting principle, that a nation of India shall not enjoy freedom of conscience: when the intelligence of conscience shall be awakened, will, as a matter of necessity, as knowledge is diffused, ultimately produce the subversion of Hindooism. We know no more desirable consummation; but we are not advocates for the principle that ill should be perpetrated, that good may ensue. If, therefore, it be consistent with the great compact which this English Government is supposed to have entered into with the Hindoos, to do away with religious persecution,---if by that pledge we obtained possession of this country, we must say that, however inconsistent it might be even with the laws of nature or of nations, we must abide by it. Whether we had engaged to support a Law, which, as in poor Sindbad's case, consigned the husband to the tomb of his wife, or, as in the case of Sutte, that consigned the wife to the funeral pyre of her husband, unnatural

though each compact might be, yet, if we had stipulated to observe these rights, as the condition upon which we took possession of India, we should have bound ourselves to be the servants of Moloch and the Durma Sobha, and we must have fulfilled our engagements. But this is not the proper view of the question: In conquering this country we had nothing to do with either Moloch or the Durma Sobha. All that we granted to the Hindoos was a voluntary concession. We rescued them from a worse tyranny, or, as Mr. Macaulay calls it a purer despotism, than they were under before, and the stipulations that we had to make, were with their previous conquerors, not with them. To suppose, therefore, that in rescuing them from the Mahomedan tyranny, we stipulated to guarantee to them, laws and observances which are contrary to nature and reason, is to assume that we merely conquered this country out of the hands of the Mahomedans, in order to restore the influence of superstition. No such compact exists, or could exist. We think, therefore, that the application of the Durma Sobha, to Government, to continue the law of persecutions, for religious principles, must necessarily be disregarded. We think that we have sufficiently shewn, upon a former occasion, that the deprivation of inheritance, because of religious opinion, is a direct act of perversion, which the British Government of India, is as much bound to overrule as the rite of Sutte.---*Hurk. Feb. 3.*

THE HINDU LAW---HUMBLED ILLUSTRATED.

To the Editor of the Bengal Hurkaru.

Sir,---As I regard the Press to be the great Court of Appeal, which in all cases where without its timely interposition, irremediable evil may be perpetrated, I have to request that you will publish the accompanying letter to the Senior Judge of the Court of Sudder Dewannee, which I am given to understand cannot be listened to, "according to the Regulations." I wish it to be listened to, contrary "to the Regulations"---and I have hopes that it will. The crying evil of contradictory opinions given by the Pundits of the Mofussil Courts, must be put a stop to. In the third volume of Mr.---now Sir W. H.---Macnamaghten's Reports of cases, page 112 you will find an instance of diametrically opposite opinions given by a Pundit of, and concerning which Pundit we are much edified by the following statement in the Report:---

"The Pundit subsequently absconded and has not since been heard of." The object that I have in view is to induce the Judges of Mofussil Courts rather to stand by decide precedents, than to shape their decisions according to the fluctuating and contradictory opinions of Pundits---and, Sir, I shall speak very plainly of Pundits, who if not known to be corrupt, for whose integrity there exists no guarantee. I cannot refrain from pointing out to your particular notice

the absurd "authorities" which you will find in the following cases, a learned Pundit adducing, in support of one opinion, which is diametrically opposed to another of the very same Pundit. On a question whether an after born grandson, shall inherit with the previous born, this precious Pundit, having given an opinion *pro*, sustains a subsequent opinion *contra*, by the following "authority." "The master of the world is independent --- the people are dependent. This is Nirodha's word laid down in the book Beharubosattoo, and Bebadbangarnobo." Sir, I do not profess to know who the "master of the world" here meant may be, but this I know, that if widows and orphans are to be cheated out of their just rights by humbug like this, the real master of the world will never sanction British rule in India. I have read enough of Beharubosattoo, and Bebadbangarnobo, to know that hot and cold may be blown from the pages of either. In the case I hand to you, a brother is attempted to be ousted of his just inheritance by his brothers---by the means of a set of Pundits, who will cite on one day Beharubosattoo, to prove one thing, and the next day cite Bebadbangarnobo to prove the contrary, and on the third day set up Beharubosattoo, to prove that Bebadbangarnobo, is wrong. In this chaos of absurdity and contradiction, I would have the Sudder Dewannee Adawlut, adopt the plain maxim *stare decisis*. This, Sir, is all I ask, and if this be not conceded, Mr. Macnaghten's books had better be put into the fire to-morrow.

In confirmation of my view of this subject, I beg to refer you to the following extract from Mr. Dorin's answers to Queries put by the Court of Directors in 1813:—

"I have as yet scarcely mentioned the superior civil and criminal court, that is, the Sudder Dewanny and Nizamut Adawlut. This is the court which must, in a great degree, give a tone and direction to all the rest. It is of the utmost consequence, that men of the first talents should be placed in this court; and it is, in general, very respectably constituted. But it is also of great importance, that its duties (for it has various miscellaneous duties, not properly belonging to a court of law) should be lightened. It has to superintend matters of police, and carry on a great correspondence as a board, as well as to determine important question of civil and criminal justice as a court of law. The committee are aware, that a plan has within this year or two, been adopted, of publishing reports of cases, civil and criminal, decided by this Court. The plan alluded to has not, as yet, I think, been carried far enough I think it should be enacted by a Regulation, that from a given period, the judgments of the court shall be considered as precedents binding on itself, and on the inferior courts, in similar cases which may arise thereafter. This will have the effect of making the superior court more cautious, and of introducing something like a system for the other courts, the want of which is now very much felt. It will have the effect too, of being a check on the native law officers, Hindoo as well as Mahomedan, who have been much in the habit some through ignorance, and others by design, of giving discordant opinions, at different times, on

the same questions of law. I was employed, shortly before I left India, in examining the records in the Sudder Dewanny Adawlut, of the years previous to 1805, with a view to report and print such cases as had turned on points of Hindoo or Mahomedan law; and a set of reports were printed accordingly. It was found that, in several cases, the law officers had given opinions to the court, and judgment had been passed according to them, which are now known to be wrong. I think the Sudder Dewanny Adawlut is a court sufficiently respectable to warrant its decisions being taken as general precedents: that is, *that points which it once determines shall be considered as law*. In stating this, I mean it to be inferred, that hitherto it has not been much the custom to refer to precedent; and, for aught the judges of the courts may know, the same points may have been decided over and over again, and perhaps not always the same way. It is obvious, that having something like a system established, would tend to abridge the labours of the civil courts."

Yours very obediently,

March 25, 1841.

C. THACKERAY.

To R. H. RATTRAY, Esq.,

Senior Judge of the Sudder Dewannee Adawlut.

&c. &c. &c.

Sir,—In addressing you in a manner that may appear to be an extra judicial application, I merely pursue the course which I should adopt in addressing the Chief Justice of Her Majesty's Supreme Court, in a case wherein the conduct of an Officer of the court in which the Judge whom I address presides is professionally concerned.

It would be superfluous to recapitulate the facts of the case of the claim of Doorgadoss Dhuur, which has recently received your judicial attention; the circumstances which I am particularly desirous of pointing out to your notice and attention are as follow. Upon the Appeal to the Sudder Dewannee Adawlut in the above mentioned case upon the summary suit, instituted in the Court of Moorshe-dabad, it was considered the opinion of the Pundit of the Sudder Dewannee Adawlut should be taken, and thereupon the following translation of part of a rubecaree issued and dated 30th December 1834, passed by F. C. Smith, Esq.

"It is considered the opinion of the Pundit of this Court ought to be taken in this case, therefore, he is called in and verbally questioned; 1st, whether after the deaths of Mohanund Dutt and his widow, can Mohanund's two sisters and their son succeed to his estate; Pundit verbally replied, that all the sisters sons, can succeed to Mohanund's Estate; 2ndly, it was asked him again whether the sons of Mohanund's sisters, who were living at the time of his death, and those who are born subsequently, can they succeed to his Estate? If yes at and any, what shares? Pundit replied, that the sisters' sons who were living at the time of Mohanund's death, and they who will be born hereafter all of them will be entitled to equal shares in Mohanund's estate; 3rdly, It was asked of the Pundit whether the sisters' sons will succeed

in right of themselves, but not in right of their mothers. Pandit replied, that they will succeed, in right of themselves, but not in right of their mothers."

On an Appeal from the regular suit subsequently prosecuted by order of the Judge of the Court of Sadul Dewannee Adawlut, in the Court of Moorshedabad the opinion of the Pandit of the former Court was again taken in manner following.

"Query 1st.--Kiteechunder Dutt, inhabitant of Junghepre, in the district of Moorshedabad, died, leaving sons Mohanund and Poromanund Dutt, and daughters Adundmoye Dossee, Shanundmoye Dossee, and Poornanundmoye Dossee, and Zemindars Dehee, Gunker and others. After his decease his two sons Mohanund Dutt and Poromanund Dutt, came into possession of the property left by their father, and Poromanund died without having been married. After his decease Mohanund came into possession of the entire paternal property, and died leaving his wife Drebmoye Dossee, as his heir. After his decease Drebmoye Dossee came into possession of the property left by her husband, and died, leaving her husband's sisters Anundmoye Dossee, Shanundmoye Dossee, (the former with five sons, and the latter with two sons,) and Poornanundmoye Dossee a childless widow. Afterwards the husband of Anundmoye died and Shanundmoye gave birth to another son. Now, would the son born to Shanundmoye Dossee after the respective deaths of Mohanund and his widow Drebmoye Dossee be entitled to an equal share with his other brothers to the property left by Drebmoye Dossee? And that in the event of any other son being born to Shanundmoye Dossee hereafter would he be entitled to an equal share to the property left by Drebmoye Dossee?"

Query 2nd.--Does the Hindoo law current in the countries of Orisa and Bengal agree on the points set forth in the first query, or is there any difference between them?

Query 3d.--If the five sons of Anundmoye and two sons of Shanundmoye making together seven persons in number, shall have, after the decease of maternal uncle Mohanund Dutt, instituted suits agreeable to the rules of Court, and obtained decrees for their respective rights and in conformity therewith, caused their names to be made current in their respective shares under order of the Court, and held and enjoyed possession thereof under the Tahood of Government, will this operate as a bar to the rights of the eighth son, born after the decease of Mohanund Dutt and Drebmoye or not?

Answer to the first query.--The son born to Shanundmoye Dossee after the respective deaths of Mohanund Dutt and Drebmoye Dossee his widow, or in the event of any other son being born to her hereafter they all (under the authority 1st thus laid below) would be entitled to equal shares with their brothers, but under the 2nd and 3rd authorities thus laid below they should not be entitled to any share. *Authorities.*

1st. "They who are born, and they who are yet unborn, and they who are actually in the

womb, all require the means of support, and the dissipation of their maintenance is censured. Dyabhaga text of Vrida Meno."

2nd. It is stated by Sre-kistao Turkoobakar in his Dyabhaga, that dissipation of property means to exclude one from his grandfather's father's father's estate.

3rd. It is stated in Bebadbangarnobah that property means any thing that descends to one in right of his ancestors, that is any thing descends from the paternal line but not maternal.

Answer to the second query.--I have made a repeated search for Sambooker Bajpoy and Biddaker Bajpoy, Law Books, current in the countries of Orissa, but they could not be found. I cannot, therefore, state actually whether the laws laid down in those books agree with the law of Bengal. In the countries of Orissa the Vyavastha is always given under the laws laid down in Metashara, therefore the laws current in Orissa do not agree with the laws current in Bengal.

Answer to the third query.--That the eighth son born after the death of Drebmoye Dossee Mohanund's widow that son's right is absorbed because by the order of the ruling powers the rights of other brothers have been once established on the property left by Mohanund Dutt and his widow, any son born after their respective deaths cannot urge his claim. This Vyavastha is conformable to the laws laid down in Menoo Dyabhaga.

Authorities.

"1st.--Partition is only allowable once.

"The gift of a daughter is to be made only once.

"Gift is to be made only once.

"The above three acts are to be made only once by the learned men. The above all are the words of Menu.

2nd.--The master of the world is independent, the people are dependent. This is Narodha's word laid down in the book. Bebadbangarnobah.

In submitting to your consideration the above conflicting opinions of the Pandit of the Sadul Dewannee Adawlut, I beg leave to call your attention to the case of Mussummat Salukhna widow, &c. versus Ramdolal Pande, guardian and manager, &c. at page 324 and following, of the 1st vol. of Mr. W. H. Macnaghten's Report of cases determined in the Sadul Dewannee Adawlut, in which the main point in question relative to which the opinions of the Pandit of the Sadul Dewannee Adawlut are so discordant, is distinctly determined, viz. that judgment is given for six daughters sons of the grandfather of the last proprietor in equal shares with reservation of the right of any other daughters' sons who may be born after the decree."

I would further beg leave to point out to your attention as bearing directly upon the main point in this case, the following authority from Mr. Macnaghten's Principles and Precedents of the Hindoo law, vol. 2. page 28. The following is the

doctrine laid down in the *Davabhaga*: "on failure of heirs of the father down to the great grandson, it must be understood that the succession devolves on the father's daughter's son" and in the same page you will find the following note.

"It is not distinctly stated in this case whether there was any possibility that the sister, who was the mother of two sons, might bear other sons, or whether she was past child bearing or widowed. If the father's daughter's sons make partition of their maternal uncle's estate, while one of them is capable of bearing more children, and subsequent to the partition a son be born he should have an equal share of the inheritance; for the succession of a son after partition is in this case provided for. Yajnyawalkya declares when the sons have been separated one afterwards born of a woman equal in class shares the distribution. His allotment must positively be made out of the visible estate corrected for income and expenditure."

In addition to the above I beg leave to solicit your attention to the opinion of the Pundits of Her Majesty's Supreme Court of Port William, upon the main question involved in the case in hands which said opinion is herewith annexed marked with the letter A.

In conclusion, I beg leave to refer to Mr. N. B. Halhed's Code of Gentoo Laws, Ed. 1777 page 51: "If there is no son it (the property) goes to the daughter's son; if there is but one daughter's son, he shall take the whole if there are several daughters' sons they shall receive equal shares."

I have honour to subscribe myself,

Yours most obediently,

C. THACKERAY.

Calcutta, March 21, 1841.

A—SR. DOORGAH—SOHAYE.

Kirtee Chundro Dutto, inhabitant of Moorsheedabad died, leaving two sons, named Mohanund Dutto, and Poromanond Dutto, and three daughters, named Anondmoyee Dossee, Sanondmoyee Dossee and Poromanondmoyee Dossee, and a Zemindary called Gonkor and other property appertaining to him.

After his decease his two sons Mohanund Dutto, and Poromanond Dutto, came into possession of the property left by their father, and Poromanond died, without having been married, after his decease, Mohanund Dutto came into possession of the entire paternal property, and died leaving his wife Drobomoyee Dossee as his heir.

After his decease Drobomoyee came into possession of the property left by her husband, and died, leaving her husband's sisters Anondmoyee, and Sanondmoyee and five sons of Anondmoyee, and two sons of Sanondmoyee.

After this the husband of Anondmoyee died, and Sanondmoyee bore another son.

Query.—Is a son born by Sanondmoyee, sister of the late Mohanund, after the decease of

Mohanund Dutto, and his wife Drobomoyee entitled according to the Hindu Law to receive an equal share of the property left by Mohanund Dutto and Drobomoyee, with the other brothers, or not?

And a second son be born after him by Sanondmoyee, will he be entitled to a share in the property left by Mohanund Dutto and Drobomoyee, with the other brothers.

2nd Query.—Does the Hindu Law current in the countries of Orissa and Bengal, agree on the points set forth in the first query, or is there any difference between them.

3rd Query. If the five sons of Anondmoyee, and two sons of Sanondmoyee, making together seven persons in number, shall have, after the decease of their maternal uncle Mohanund Dutto, instituted suits agreeably to the rules of Court, and obtained decrees for their respective rights, and in conformity therewith, cause their names to be made current in their respective shares, under or for the Court, and held and enjoyed possession thereof, under the Talukdar of Government will this operate as a bar to the rights of the eighth son, born after the decease of Mohanund Dutto and Drobomoyee, or not

Answer to first query.—The father's daughter's son, born after the decease of Drobomoyee, and her husband, and also the father's daughter's son born after him, will have an equal right with the father's daughters' sons previously born, in the property which devolved on Drobomoyee from her husband.

Answer to second query.—The opinion given in answer to the first query, is conformable to the law laid down in the *Davabhaga* and other Law Books, adopted by Sombhooker Bajpey and others, prevalent in the country of Orissa, and agreeable to the usage of that country.

Answer to the third query.—The daughters' sons previously born, on whom the property of their maternal uncle devolved, after the decease of Drobomoyee, having divided the same under an order of the Judge, and obtain possession thereof, and made their names current in their respective shares, is no bar to the fathers' daughters' sons subsequently born having an equal right in the property of their maternal uncle with the fathers' daughters' sons previously born.

This is agreeable to the Hindu Law and the opinion of the learned.

Authorities.—"They who are born, and they who are yet unbegotten, and they who are actually in the womb, all require the means of support, and the dissipation of their maintenance is censured.

This Text to Vriddha Monoo is quoted by Sombhooker Bajpey.

Sons, daughters, daughters' sons and others enumerated in the *Shasters* is entitled to inherit, being alive are not only those that are entitled to inherit; as those who may be subsequently

born, are also to be understood as being laid by Sombhookor Bajpety and quoted from the Diyabhaga, in the Dayr Coli, that where there is a possibility of sons' daughters, or daughter's sons being subsequently born, partition of property is not conformable to the Shaster, those who may be subsequently born having also a right therein.

SRI RAM SORMONAM.

SRI RAMDOR DAB SORMONAM.

*SRI DOORGA JOSEPH.

SRI CALI CANTO DAB SORMONAM.

The 4th Magh, 1247

(A true Translation of the annexed paper)

(Signed)

W. C. BLAQUIERE.

Hurk. Mar 4 27.]

The subject which was brought in Mr. Thackeray's letter, which we published on Saturday last, is one of most vital importance to the well-being of India. The question involved, is neither more nor less, than whether the Law of the Land shall be a fluctuating and contradictory assemblage of decisions, each varying from the other, upon the very same identical question of law, or whether there shall be a *rule*, by which law shall be fixed and determined. If we understand Mr. Thackeray's position rightly, it is this—and we heartily concur in it. That the Court of Sudder Dewannee, having by one of its judgments decided on a certain point of law, such decision shall be deemed a precedent, until appealed against and repealed by the Privy Council; that in every similar case such decision shall be held to overrule the opinions of the pundits. We confess that we are of opinion that Mr. Thackeray is labouring to establish one of the soundest principles that can possibly be brought to bear, upon the decisions of Mofussil Judges. We would put it first of all on this simple ground. A pundit is known to be liable to venality. A Judge cannot be so. It is notorious that the opinion of a pundit may be bought, and it is equally notorious, that texts may be cited from the vague authorities of both Hindoo and Mahomedan Law, that will afford some colour for the opinions of the pundit or mulavi—be they what they may. Surely, then, under such a state of things, it is infinitely more necessary that the Law should be fixed by precedent, in our Eastern Courts, than in a Court of British jurisdiction. A Court of British Jurisdiction, which will never pin its faith upon either pundit or mulavi, yet expects a precedent. But we find Mofussil Judges reversing this principle, and postponing in established precedent, to an opinion of a pundit, who is known to blow hot and cold, on the very same question. We cannot but think that Mr. Thackeray deserves credit for opposing himself to so monstrous a system, under which it cannot but be, that the very same Court,—the voice of the Law,—shall have diametrically opposite decisions upon the very same point of Law. Such a system, it is clear, is far worse than were a Judge appointed to decide a suit by a throw from the dice box—provided the dice were not loaded. A fair cast of the dice, would decide the case at once, without the expence of trials and process. But if in the very same Court one Judge has decided upon one point one way, and another Judge comes and upsets that decision, and decides diametrically opposite, what we would ask is the use of applying to such a Court? But what, supposing the decision upsetting the precedent, is given in favor of the rich client, against the poor? What inference can be drawn, other

than that which we fear to advert to. We do hope that, for the honor of the Court of Sudder Dewannee, the suggestions of Mr. Thackeray may be attended to.—*Hurkara, March 20.*

To the Editor of the Bengal Hurkara.

SIR,—I have more than once taken occasion to tell you that I regard the Press, as a Court of Appeal of *Dernier Ressort*—a tribunal, which is not wantonly, idly, or ultimately to be approached—but which may, and ought to be addressed, upon occasions, where great and irreparable injury is threatened. I regard the Press, as the highest Court whence an injunction, against the perpetration of irreparable wrong, can usefully issue, and in that capacity I now address myself to its jurisdiction. Sir, I am the advocate of one brother—a Hindu—whose brothers have disesteemed him, on the ground that he was not born soon enough. That a son should be born too soon, is not a legal, but, in many cases, is both a moral and physical reason for his disinheriting. But, at present, Sir, I have nothing to say to that side of the question. The case I have in hand at present, you have had already before you and your readers, but I wish concisely to state how the matter stands, in order that they in whose hands lies the decision of this case, may be fully aware of all its bearings. You must be aware, Sir, that I should not adopt this course, in the case of a suit before Her Majesty's Supreme Court, and the reasons why I should not so do, must be apparent. Among others, however, in my opinion, that the Sudder Court is bound by "precedent."

Now, Sir, the position in which I am placed, with respect to my client, is this:

The plain question is, whether he, a brother, born after a certain party had died, though within the property came, should share with his brothers born before.

His brothers had possessed themselves of the property—tho' they are rich—my client is poor.

My client's case came before the Sudder Dewannee, on what is termed a *Sunnari* Suit, on which occasion the opinion of the Pundit of the Sullas, being taken, that learned Pandit gave his opinion in favor of my client. The case was then referred to a regular suit, and being appealed against, the opinion of the same Pundit, was again taken, who gave it against my client. Well, Sir, the Judge of the Sudder having two conflicting opinions of his own Pandit, on the same question, sent up to Allahabad to take the opinion of the Pandit of that Court, and I would you believe it, Mr. Editor, the party most interested against my client, that very sum might took dark bearers from the Post Office for Allahabad—and that he "put money in his purse", there can be no doubt.

Well, Sir, then—how do I stand? Why I have a decided precedent, in the Court of Sudder Dewannee in my client's favour. I have one opinion of the Pundit of the Sudder Dewannee Advocate, and I have the opinion of the Pandits of the Supreme Court. You will say "you stand on a Rock of Adamant." Hush—my client is the poor brother. He could not afford to lay down to Allahabad, and "put money in his purse." But the worst of it is Sir, that if my authorities will not bear me out he will have to lay down to the Cook Pit—and thus his precious brethren know.

Yours very obediently,

March 31, 1811.

C. THACKERAY.

[Hurkara, Apr. 6 1.]

REPORT OF THE STATE OF THE POLICE THE LOWER PROVINCES FOR THE FIRST SIX MONTHS OF 1840.

We have been favoured with a printed copy of Mr. Dampier's Report, during the first six months of his incumbency, as the Superintendent of Police in the Lower Provinces, and lose no time in bringing this important document to the notice of the reader.

A perusal of this Report, establishes, beyond question, the wisdom of having revived the office of Superintendent, and intrusted the general control of the Police to a distinct agency, corresponding in some measure with that of the Minister of Police in some of the countries of Europe. The inefficiency of the existing system, either in repressing, or adequately detecting crime, and the consequent insecurity of property among so vast a population, had become so notorious, as to call for some energetic measure of reform. The first step in improvement was manifestly the appointment of an officer of large experience and comprehensive views, to exercise a general superintendence of the Police, unfettered by other duties, and to present a periodical report to government of the practical working of our system. Such a report in the present state of things could not be flattering; but it was felt that an accurate knowledge of the causes of our failure, in this department of public duty, was essential to the adoption of any effective measure of improvement.

Passing over the details of the Police in each district, which are so accurately particularized in the Report, we proceed at once to the result of Mr. Dampier's observations on its general character, and to the suggestions which he has thrown out for a reform.

In two respects does Mr. Dampier's opinion differ from that of his predecessor. Mr. Smith laid particular stress on the apprehension of old offenders, and considered it a test of the efficiency of the Police. Mr. Dampier considers, and not without reason, that the Police Darogahs and peons are too limited in number to be able to gain any general information regarding bad or suspicious characters beyond the circle of their Thannahs; that the Magistrates are fearful of entrusting to Darogahs perwannas to seize particular individuals charged with the crimes of former years, lest, from the want of immediate control over their operations, those orders should be converted into instruments of oppression. Hence the apprehension of the criminals of former years is generally the result of accident rather than of design, and can be no test of efficiency.

Mr. Dampier's opinion is still more decisive regarding Reg. II. 1832, passed by Lord William Bentinck, amidst much obloquy, by which the Police was forbidden to enquire into any case of theft and burglary, except at the express desire of the injured, or on the especial command of the Magistrate. Of the burglaries reported in the first six months of 1840, amounting to 7228, nearly one-half, or 3564 cases were never enquired into at all, because the people thought it wiser to avail

themselves of the protection afforded by that law, and to put up with one robbery, than to bring on a second, by inviting the visitation of the Police. And certainly the result of the cases which were enquired into, fully justified their determination, by shewing how little the Police could do, when their aid was implored. In the thefts and burglaries examined into, 10,680 persons were concerned: of these 3351 were apprehended; and of these 2,038 were convicted, that is, one in five was brought to justice, and the rest remained abroad to practise there vocation. This, says Mr. Dampier, is a sad state of things to declare, yet "*I would not abrogate that Regulation*. It is true the occurrence of such numerous crimes with impunity—aluding to those which are never enquired into—is injurious to the community; but so long as our present system is continued, these evils are nothing compared with those which attend the forcing of the sufferers to prosecute, and the letting loose an underpaid, ill-controlled and corrupt Police, among the people in all cases. The working of that law which I look upon as a confession of a great Government that its tribunals cannot give speedy and cheap justice to its subjects, and that its Police Jurisdictions are too large and too widely scattered to be controlled, plainly proves that the people have considered it a boon." And a boon it undoubtedly was. It was a measure of practical wisdom and benevolence. Seeing that we had not the means of defending the people from the oppressions of robbers, it was but an act of charity to protect them from the oppressions of our own officials. It was no small mitigation of the evil arising from thefts and burglaries, that the people were enabled to feel that they should be spared a visit from the Darogah and his myrmidons, and that what had been left by one class of plunderers would not be taken from them by the other.

On the general state of the police, Mr. Dampier remarks. "In every way the results of the endeavours of the Police, either for the prevention or punishment of crime, are extremely unsatisfactory, and discreditabie to the officers of the force.—The condition of the Police throughout the Lower Provinces is extremely bad, and I see no hope of amending it from its state of demoralization whilst the present system continues."

Among the most prominent causes of this demoralization may be reckoned the very insecure tenure on which the Darogahs, or chief Officers of Police, hold their posts. During the first six months of 1840, remarks Mr. Dampier, out of 444 of these officers, no fewer than 62 have been dismissed, and "if the same proportion is continued, the chances will be against the continuance in office of any Darogah for a longer period than four years." Hence it has long been a common saying, that every Darogah has his lotah (water-pot) and his mat in jail, meaning that the service was one most likely to lead to punishment, and into which a man anxious about his character,

would not enter. We think that the same rule will hold good of public as of private servants, and that the frequent dismissal of them is quite as great a proof of a bad master as of a bad servant. In this country, where morals and efficiency are not at so low an ebb, the most effectual mode of turning native agency to account is to watch and control, rather than to dismiss servants. The capricious removal of these Native heads of the Police, has naturally driven respectable men from the service, and lowered its general character. As a punishment, deprivation of office has lost its efficacy. The Darogah, with no prospect of reward for long and faithful services, and every chance of being removed on the first occasion, endeavours to make hay while the sun shines, and it is the people who chiefly suffer from this injudicious exercise of power. Mr. Dampier has endeavoured to impose a check on this evil practice, by directing that no superior Police officer shall be dismissed without a reference to him.

The low scale of pay allowed to these officers is another cause of their demoralization. "The pay of a Darogah," says Mr. Dampier, "is at present 25 rupees a month, of a Mohurer 8, of a Jemadar 10. Now, considering that these officers, the Darogahs in particular, have to keep up a respectable appearance, to proceed at times to any part of an extensive jurisdiction, and the Mohurer and Darogah must certainly, be persons of education, and capable of taking, following up and judging of evidence, I think these sums will be admitted to be too low to render employment in this line a desirable object for a respectable man; those who do enter the service, enter it for the *perquisites*." These sentiments have been so often urged upon government by those who enjoyed no official consideration, without effect, that it is to be hoped, that when they are thus brought forward prominently by the Minister of Police himself, they will not only carry conviction into the Council Chamber, but lead to some practical result. It is true, that higher salaries do often produce larger cupidity; but it is certain also that inadequate pay, especially in this country, does invariably lead to extortion. National honesty is a plant of slow growth; the history of our own land has abundantly taught us this; but, if we do not even plant the seed, when can we ever expect to see the tree? And assuredly the establishment of an equitable proportion between the pay of a public servant, and his position and duties, may be considered as lying at the root of public virtue. When we find that the Native officers are so ill paid, that it is utterly impossible for them to live on their salaries; that they have no hope of an increase, however honestly they may act; and no prospect of a provision for old age, however long their services, and that they are liable to capricious punishment and dismissal on every and any occasion, what wonder that they should reverse the object of their appointment, and cease to be a terror to evil doers? Mr. Dampier has proposed a remedy for this state of things, by proposing a general increase of their allowances upon a liberal scale. This may not make them honest; but it will at least enable us to exact honesty from them with a safe conscience.

Mr. Dampier also proposes to draw up a Manual for the Police, containing a concise account of their duties, as well as the manner and the law under which they are to act in cases or charges brought to their notice. Such a Manual, we are confident, would be found equally beneficial to the Police and to the public; to the former, in teaching them what they ought to do; to the latter, in informing them what the Police ought not to do.

Another measure, says Mr. Dampier, very much required is the introduction of a River Police. "The whole of the commerce on the rivers throughout Bengal, is unprotected; (for the location of a few thanas on the banks of the rivers can hardly be considered a protection) and river piracy, as well as the plundering of stranded boats prevails to a great degree." Mr. Dampier also proposes that the surplus funds arising from the tolls on the rivers and the canals in the Soonderbuns, which are paid by merchants, should be devoted to the protection of their goods on these lines of navigation by means of a good Police. The suggestion is not only most reasonable, but it is also practicable. The revenue from the tolls on the rivers and canals would be amply sufficient, we think, to maintain a very efficient Police.

The Superintendent is a strong advocate for a separation of the Executive from the Judicial functions of a Magistrate, as "the principal if not the sole means of introducing activity, regularity and good conduct into the Police." This must appear evident to all those who examine the nature of these respective functions. The great value of a Police is its ubiquity. It should be "felt on all sides, like the atmosphere." The Judicial Magistrate, on the contrary, requires to be stationary. The Police will be most effective when it comes daily in contact with the people, and makes itself familiar with all that is passing through the country, with all men and all things, and all things concerning all men. The Judicial Magistrate has nothing to do but with that which is judicially brought to his notice; and his decisions will be considered most impartial when he is not influenced by any thing that is not officially before him. The functions of the thief taker, and the thief trier, are therefore not only distinct, but in some measure opposite; because what would be a vice in one, would be a virtue in the other. But we have many gradations of improvement to go through before we can be prepared for this final reform.

Five Dacoities committed respectively in the districts of Chumprun, Purneah, and Behar, and at Moorshedabad and Bagoorah, have been traced up to professional robbers, from the North West Provinces. They pass generally under the name of Bowries, but have other local appellations, such as Budducks and Marwarees. Having been ferretted out of their haunts in the West by that indefatigable officer, Major Sleeman, they are, it is supposed, proceeding gradually to the lower provinces, where they find the pursuit less hot, and the chance of impunity greater. Two dacoities were perpetrated by the same gang, headed by a sirdar called Dhurmoog, and the others, by

the boldness of their proceedings, and the rapidity of their movements, completely paralyzed the Police. In December 1838, a body of these men attacked and plundered the house of a merchant at Chuprah, and were for some time in complete possession of the town. They moved off at length without hurry, calling out vauntingly that there was not a man at Chuprah. Taking to their boats, they crossed the river, and committed another robbery close to the boat of the Magistrate at Patna, and then dispersed with their booty, unmolested and untraced. It must be evident, that if these gangs are once enabled to obtain a footing in these provinces, the labour of rooting them out will be great and expensive, and that the wisest plan of operation will be, to take the evil in time and to bring the same energetic agency to operate against them, which has proved so successful in driving them from their original seats.

The tribes in Bengal, who are branches of this family, and speak the common language, of which a small drawn up by Capt. Elwal, one called Kechuks or Chiechuks about Purneah and Malda; Hurgoorahs in other parts of the country, and Shegalkhores in Midnapore and Cuttack. It was a part of this gang, headed by Lall Montee Sing, who committed the well remembered dacoity at Garreahath, near Calcutta, some little time ago. It was the circumstance of their having an up-country leader at their head, which lead to their being traced up to the same professional family. When they admitted that they were "Bowries," there was no longer any doubt of their clanship. The women, after some hesitation, admitted their acquaintance with the slang vocabulary. After the Garreahath dacoity, the bands dispersed, and Mr. Dampier has ascertained that there are at this time five hundred of them, wandering about the eastern parts of Bengal, without means of subsistence, waiting for opportunities to plunder.

The following is the description of their mode of operation, as detailed in Mr. Dampier's Report:—

"When proceeding on an expedition they hardly ever, or I may say never, move in a body, but proceeding to the place appointed for the meeting; when there, every man is instructed in his duty in the approaching attack, the whole plan explained by the Jemadar or leader, and the detail carried on almost with as much regularity as the telling off soldiers for duty.

"Any police Station or force near to the house intended to be attacked, is masked by a party who cut down or murther any who may try to pass from it.

The passages are guarded, and the main body proceeds silently, and by the different routes, to the spot; when there the cry of "Mar, Mar" is raised, and they rush on, cutting down all they meet, break open the boxes or places where they have ascertained treasure of jewels to be kept, and placing the booty on the heads of their steadiest men, march off with them in the house. As they go off, they are joined by their outlying

parties, who oppose any pursuers, and mislead those who may follow them from the track taken by the main body.

"They match all night, and as their robberies are usually committed soon after dark, they frequently before day-break place forty and fifty miles between themselves and the place where the robbery was committed."

For the information which the Report communicates regarding these professional dacoits, Mr. Dampier acknowledges his obligations to Major Sleeman, and states that the most effectual mode of checking their outrages will be to reform the Police in Behar, which is the district now most exposed to their excursions, and thus to enable the Magistrates to co-operate effectually with Major Sleeman's assistants.

The whole value of the property reported to have been stolen during the first six months of 1840, is Rs. 2,12,751; the computed value of property recovered, Rs. 32,441, or less than one eighth. This is by no means creditable to the exertions of the Police. From various notices in the Report, it would appear to be a general impression on the minds of the Magistrates that there is much exaggeration in this estimate of the value of property; but Mr. Dampier sees no reason to suppose that it is overstated. Indeed, when we consider, on the one hand, the low state of morals in this country, and the utter inefficiency of the Police, and observe on the other, that about two lakhs; or a little more than twenty thousand Pounds Sterling, was the amount of property stolen in six months, in a population of thirty-seven millions, we naturally suppose that the sum must have been greatly understated.

Mr. Dampier has dwelt at great length on the object of the *Village Watch*, which, owing to the neglect with which it has been treated, has become one of the greatest impediments to the establishment of a good Police. The registers which were ordered to be kept of them, have been allowed to fall so completely into arrears, that Mr. Dampier has obtained returns of their actual number from only nine districts; and even upon these returns little reliance can be placed. Assuming the number in these districts as a criterion for judging of their strength in all the thirty-two districts of the Lower Provinces, they will be found to amount to 172,622 but we will assume their number at 1,50,000. They are paid in various ways, but always inadequately; on some districts, by the produce of lands; in others, by an allowance in money; in some instances, by the Zemindars; in others, by the people, and in some districts, by both. They constitute that body which is the bond of connection between the Government and the people; and through which alone crime can be detected and punished. But the Superintendent describes them to be in a most disorganized and useless condition. Instead of being an aid to the Magistrates, they are a hindrance; and the members of this large constabulary force are more inclined to conceal, if not to commit, than to report crimes. "As a body, it is not under the influence or control of the Magistrates and Police, but of others who have interests and views quite at variance with theirs; and it is without any uniformity of system, ill

paid, ill conducted, disorganized and uncontrolled." The entire amount of payments made by the community to the Village Watch, through the range of the Superintendent's control, is 16,00,000 Rs. and the sums which are entered in the Registers and which are therefore the legal wages of this body, as contributed by the people themselves, amount, to 48,00,000 Rs. per annum, or nearly half a million sterling. Yet so small a portion of this sum ever reaches the watchmen, that they are driven to connive at, and often to perpetrate crimes in order to keep themselves from starvation.

Mr. Dampier says, that any reform of the Police, to be permanent and useful, must commence with this branch of it. Rather would we say, that any efficient improvement must include the reform of the Village Watch; but the public authorities are scarcely prepared to enter on so vast a measure at present. They are so ignorant of the actual condition of this body, of the mode of its appointment, and the means by which it is paid, and which differs so materially in different localities, that to enter upon the duty at once, would be manifestly premature. A general and preliminary enquiry is necessary to present an unjust interference with rights and privileges, and to make the reform equitable as well as efficient. These enquiries it is impossible that the Magistrates can attend to, loaded as they are with other duties. Local investigations must be made by a faithful and distinct agency; and this brings us round to the question of appointing Assistant Magistrates.

We feel no hesitation in stating, that the appointment of Assistant Magistrates, in the proportion of four to every considerable district, lies at the root of all Police reform; and that without it, every other effort will be unavailing. What is the actual state of the Police among the thirty-seven millions of people comprised in the Government of Bengal? 1st. We have one hundred and fifty thousand village watchmen, not accountable to the public officers, but acting independently of them, who are paid at the rate of *two shillings* a month, who are described by the Magistrates, as "grossly inefficient," "a degraded, useless body;" who "league themselves with bad characters, as a matter of course," who are in many instances "the most daring and expert thieves, and of whom the Superintendent pronounces that "the whole system is as bad as it can be." 2dly. We have a native Police establishment, at the head of which are the Darogas, the highest officers under the European Magistrate. The Darogas are in number four hundred and forty-four, and are each charged, on an average, with the Police control of a population of *Eighty-four Thousand*. They receive an

allowance of *Thirty Pounds* sterling a year, which sum does little more than pay for their conveyance.

Partly from a deficiency of morals, partly from the glaring defects of our system, they are also so completely the scourge of the country, that the Superintendent of Police says, it is "better to let the crime pass unnoticed, than to subject the people to the extortion and inconvenience of their interference;" that their interference was tantamount to the "letting loose an undisciplined, ill controlled, and corrupt Police amongst the people;" and when Lord William Bentinck forbid this Native Police to undertake the examination of thefts and burglaries, except at the particular request of the sufferers, the prohibition was "deeply felt as a blessing by the people." 3dly. We have *Thirty-two* European Magistrates and *seventeen* Joint Magistrates, in all *forty-nine* European functionaries, to control this corrupt police, and to maintain good order in a population of thirty-seven millions; and of these forty-nine, fifteen are charged also with the collection of the public revenues. We have, therefore, one Magistrate and about half an assistant Magistrate to each million of the people, and these functionaries are so overwhelmed with labours as to be scarcely ever able to visit their districts. Is it possible in these circumstances that the Police can be any thing but grossly inefficient? And must it not be clear that the first step in reform is to quadruple the number of European officers, and distribute them judiciously over the district, in order, as Mr. Dampier justly observes, that "their constant presence in the Mofussil, and their more confined jurisdictions, may secure a more intimate and certain control over the members of the force, and a full knowledge of all their proceedings?" With this measure must be coupled also an improvement in the allowances of the Native Police officers; but increase of pay will not necessarily purchase honesty; and unless the control be brought nearer to them, and be felt perpetually and uninterruptedly, a hundred rupees a month to the Daroga will not free the people from his exactions. Let these Assistant Magistrates, when appointed, personally institute enquiries regarding the appointment and pay of the Village Watch, and when a minute report regarding them has been laid before the Supreme Council, then let some comprehensive plan be drawn up and carried into effect, by the instrumentality of these Assistant Magistrates, for re-organizing this village constabulary force, and making the hundred and fifty thousand watchmen, whom the people pay, the protectors of good order, instead of being, as they now are, the promoters of misrule.—*Friend of India, April, 1.*

THE CHINA QUESTION.

Our readers will have perused, with deep interest, accounts from China which we laid before them yesterday,—an interest which the world must always be in itself sufficient to awake in the breast of every friend to humanity, and every lover of his country's prosperity and happiness. Of all countries in the world it behoves Great Britain to "beware of entrance to a quarrel;" but it equally behoves her to regard the further advice: "but, being in"

"Bear it, that the opposer may beware of thee."

If it become not Great Britain to boast and bluster, like a bully, far less will it become her to adopt the maxim of *paix à tout prix*. The question then that irresistibly and instantly forces itself upon our consideration, is not whether we have got peace with China, but whether we have got such a peace, or rather the preliminaries for such a peace, as, once "being in," it was wise, and consistent with our national character, and true interests, to insist on. Whether once "being in," we have taken due heed so to

"Bear it, that the opposer may beware of us."

We are lovers of peace, and, consequently detesters of aggressive warfare, beyond the point which the cause for which arms have been taken up to establish. That gained, on the instant we should cry peace—that obtained, we would urge that no new prospect of conquest, developed by the unexpected weakness of an enemy,—no new hopes of victory and acquisition, however brilliant and splendid, ought to be allowed to sanction the horrid trade of war—for such it is when employed for the purpose of unnecessary aggression. The moment that we had accomplished our object, in sending an expedition to China, every death, caused to the miserable and unoffending population of that country, would become a murder; and it is, therefore,—entertaining these views, that with the utmost reluctance, and after the fullest consideration of all the difficulties of the case, we are both in sorrow, and somewhat in anger—(we cannot help it, for many, many noble fellows have been sacrificed in this protracted contest)—it is that we are forced to the conclusion, that the peace for which Captain Elliot has stipulated is neither such as is becoming the British character—is not such as insures either redress for past insult and injury—and is not such as is calculated to make our Chinese opponents, for the future, "beware of us." It is with grief and sorrow that we feel, that these preliminaries of peace with China, are but the preliminaries of a system of falsehood, and procrastination, and fraud, of which no man can foresee the conclusion. Whilst our plain, direct policy was that of decision, which must always be the only really successful policy of action, by a skillful few, against an unwieldy many, we appear, from the first to the last, to have fallen voluntarily into the Chinese plan of procrastination; and now we have got peace, at the price of a procrastinated claim of annual instalments for six years—of a sum which,

if paid on this instalment, would certainly not cover one-fourth of the lost to Great Britain and British merchants, occasioned by the conduct of the Chinese Government. Striking, therefore, the amount of annoyance, as between enemy and enemy, the Chinese have undoubtedly the best of the bargain, at the rate of four to one; and this, their Government authorities have already begun to proclaim to the Chinese subjects. Between Captain Elliot and Kishen, it is made to appear that the island of Chutan is given up on the consideration that the island of Hong Kong be made over to the British, in lieu thereof; but between Kishen and the Chinese Government and people, it appears, that the English Barbarians have been obliged, "under orders," to relinquish Chusan, and to betake themselves to Hong Kong, where they are to carry on business, subject to the same duties as at Whampoa. The Chinese Government has clearly gained its own point, as regards the impression which our invasion of Chinese territory will make upon the conviction of Chinese subjects, who will believe, for the future, that we, who, literally speaking, can break them in pieces like a potter's vessel, are incapable of doing anything effective against the Chinese Government. Poor devils—they will submit to anything that either their own Government or we, choose to inflict upon them, so long as they think, that either has got the better. Kishen is a clever fellow. He has made Captain Elliot make, it appears, whether it be so or not, that he, Kishen, has got the better of the English barbarians—which, as regards money matters, is unquestionably true. It is incontestably true, that Lin and Kishen, two Chinese "button," have made Captain Elliot play a cruel trick upon the Opium-scrip holders. We have never advocated the cause of the Opium-scrip holders, but had we once "been in," even in such a cause, we would have taken care that our opposer should beware of us. Now Captain Elliot was "in," and unless he choose to give himself up, as a kind of Opium Regulus, to the meries of the Chinese authorities, we do not see how he is to avoid the accusation—and we use the term that we are about to use with great reluctance—how he is to escape the charge of having cheated the opium holders. We repeat that we are most reluctant to use the term—the holders of opium scrip know very well that we have never countenanced their claims of remuneration or recompense, as against the British Government; but we never meant, or dreamed of meaning, that Captain Elliot, if he had the means and instruments in his power, of redeeming his pledge of the British Government, as against the Chinese, should voluntarily—when he had British artillery and British troops to back him—give it up or compromise it? The claimants on China, for recompense for confiscated opium, were either to be recognised by Captain Elliot, or they were not. It might have suited the English Government, had Captain Elliot been out of the way, to say—"we know nothing about these smugglers, and we will not recognise their claims." Even Honorable John

might with a slight twinge upon his very susceptible heart and conscience, have said—we may suppose that Hon'ble John ever infringes the quaker's rule—"Damn the opium dealers—we, (for John is as imperial as an editor or a monarch)—we, sold the drug to these fellows, but we did not guarantee the sale—we have nothing to do with it." We are not the keepers of Hon'ble John's conscience, which, according to Burke, is no conscience at all,—which we verily believe; but we are confident that Hon'ble John, had he pledged himself to make good a contract of opium, even though involving a losing bargain to himself—would have fulfilled it—because he has done so. But Captain Elliot

Majesty of Great Britain, to a set of dealers in opium, for their indemnification, and concludes a treaty with the Chinese, under which they cannot be indemnified. Our opinion is well known upon this score—a very minor consideration as regards the national quarrel; but it is disgraceful as involving the national honor—even towards thieves. But the great question is, has Captain Elliot obtained satisfaction from the Chinese Government to the British? Has the insult to himself, which in his private capacity he may pocket if he likes, under the consolation of a dinner of roasted dogs and birds' nest soup, been in any way atoned for, as an insult to the British nation? Not in the least. The melancholy result of our expedition to China has been, that by the game of diplomacy played by a set of barbarians, the prowess of British arms, skill, and valour, has been rendered almost nugatory. When this Chinese contest began, we said, if you strike at all, strike at the heart of the Government. It appears that we did aim a blow at the heart—we went to the mouth of the Pei-ho, and we might have paralysed that heart. We went back to Canton, and that heart regained its vigor. We have sacrificed dreadfully, in men and in money—not to be reinstated *in statu quo*, but—when we had the ball at our foot—to have to do the whole matter over again, which there can be no doubt we shall have occasion to do, ere many years elapse. In a word, we have not gained any object. We have got peace, it appears, but we are afraid, that our peace with China, will be regarded by that Government as a peace sought for, and obtained by us—a *fout prix*. Keshen, has clearly outwitted Captain Elliot. Had the Bogue Forts been taken, raised and exterminated, the Chinese Government would have known and felt our power. Keshen induced us to stop short of this, and the Bogue Forts, will be represented as the barrier that we could not overcome, and that induce us, in utter hopelessness of success, to knock under, and come to most degrading terms. Our humiliation will be attributed to fear, and we are sorry to say that in this supposition, as far as our English representative is concerned, our opinion coincides with that of the Chinese—we do not mean of the resistance of the Forts, but of the vengeance of the Chinese Government, should these Chinese Bliarpores be taken. The vengeance of the China Government! And so, we want to war with China, with the fear of its vengeance hanging over our heads!—Whig warfare is a strange thing; but to do things by halves is one of their principles—except when they fight under the Banners of Russia—which power, when we next go to war

with China, upon the ground of a non-paid instalment, will most probably be found both teaching them a better mode of warfare, and supplying them with Military forces.

Whatever the owners of Opium Scrip may say to Captain Elliot, we cannot but say that he has thrown away his country's opportunity to establish its supremacy over barbarian insolence, has exposed his country and fellow-countrymen to future undefined insult and injury—and has rendered necessary another war with China,—come it sooner or later,—in which the sacrifice of human life, must be enormous. He has done things by

a mode of proceeding which "Siam of Pegu" might characteristically adopt; but which is *pro tanto*, fatal to the British name. We dare not trust ourselves to enlarge upon what might have been done had the forces which were sent to China, been employed under the direction of political wisdom. All was ours. As it is, we are far worse off, than before the first victim to fear and neglect, expired within the walls of Ting-h.

Since writing the above, we have received a number of the *Chinese Repository*, published early in January, which continues its monthly Journal of Occurrences, up to the declaration of the Armistice on the 8th ultimo. From this journal we extract the following "Memoranda," of what were to have been *ought* to have been, our demands upon the Chinese:—

3. "The nature of demands on the Chinese, made by the British government, may be 'guessed at,' from the two following memoranda: the first is from the New York Journal of Commerce, for June, 1840, 'furnished from a source entitled to much consideration;' the second is from a Chinese document, which was kindly handed us by a native friend, early in the present month.

FIRST MEMORANDUM.

Demands of Great Britain against China—The following has been furnished us from a source entitled to much consideration, as a catalogue of the demands which Great Britain will make on the government of China.

1st.—An apology for the imprisonment of H. B. M. chief superintendent of British trade, and of the British subjects at Canton, by order of the imperial commissioner.

2d.—In demnification for the opium surrendered by the chief superintendent of trade to the imperial commissioner, and likewise to the merchants, for losses sustained by them, and for the outfit and expences of H. B. M.'s expedition against China.

3d.—Acknowledgement of the debts owing by the Chinese to British merchants, and security for the punctual payment of them.

4th.—An imperial edict establishing a fixed tariff of import and export duties.

5th.—Petitions to be permitted to be made, and forwarded direct, sealed, to the imperial government at Peking.

6th.—An envoy to reside at Peking; and superintendents of trade, at all the ports open to H. B. M.'s shipping and commerce.

7th. The legal trade to continue, and not to be interrupted, in consequence of any smuggling transactions at Canton, or on the east coast of China.

The above are understood to be the unconditional demands made by the government of Great Britain upon the government of China. Failing to grant them, force is to be employed, until recognition by the Emperor of China. The following demands will, it is understood, be likewise urged and, if practicable, obtained, in addition to the seven articles abovementioned.

1st.—An imperial edict for the opening of some half-dozen or more ports on the east coast of China to British commerce.

2d.—A repeal of the hong monopoly, if practicable; if not, an additional increase of hong merchants.

3d.—British subjects to be allowed, with their families, to settle in any port open for trade, and to visit any part of the empire, first obtaining for this purpose, a passport from the British superintendent of trade.

4th.—Permission to build a church in each of the ports open to trade.

5th.—A port or an island, in which Great Britain may exercise exclusive jurisdiction.

6th. All crimes committed by British subjects shall be adjudged by a court appointed to this effect by the crown of Great Britain.

7th.—Reduction of the present exorbitant port-charges on vessels.

SECOND MEMORANDA.

1st.—It is to be required of the Chinese, that they acknowledge, and make due apology for, the insults and injury done to British subjects:

2d.—That the Chinese pay for the opium, liquidate the debts of the hong-merchants, and defray the expenses of the present expedition.

3d.—That the Chinese court give security for all monies due to foreigners.

4th.—That they establish a fixed tariff on all goods, both import and export.

5th.—That liberty be granted, in case of difficulty, to address sealed communications to his majesty, instead of submitting them to local officers:

6th.—That a foreign officer reside at Peking, and one at each of the ports opened for foreign commerce.

7th.—That the merchants and commerce in the ports shall not be involved (or prejudiced) by smuggling on the coasts.

8th.—That for the extension of commerce with foreigners, six ports shall be opened.

9th.—That the system of hong merchants be abolished; or, if not, that no additions be made to the present number of the cohong.

10th.—That at all the ports, where the foreigners reside, churches or chapels may be erected.

11th. That at all the ports, opened for commerce, families be allowed to reside.

12th.—That at all the places of residence similar privileges shall be granted as are enjoyed at Macao.

13th.—That whenever foreigners are guilty of offences against the laws, they shall be tried by foreign magistrates.

14th.—That there be a reduction of the duties both on foreign merchandise and shipping.

If this second memorandum has not been translated from the first (we suspect that it has, though assured to the contrary by tolerably good native authority,) the demands on the Chinese are greater than we ever supposed they would have been.

Be long we shall see how far they are true and with what success they are urged.

And now we have seen to what extent the above demands have been insisted upon! Verily, a miserable skeleton presents itself in place of a solid treaty. Where be the apologies and indemnifications claimed some twelve months ago. The apologies are not forthcoming, and the six millions of dollars will scarcely pay the expenses of the Expedition. The balance for the Opium merchants will be a minus quantity, this time—and, the "direct official communication," which we are promised, is just whatever the Chinese please!—The Hong system remains where it was, and our rights and privileges not extended a jot. Ellsford's men in buckram did not dwindle down so judiciously as the above Memoranda have dwindled down into Capt. Elliot's notable treaty!—*Hulk. Feb. 18.*

We yesterday wrote a few hasty remarks on the China news, not having at that time heard any opinions expressed upon the subject. We have since seen a great many of all classes, and not one has hesitated to pronounce an unqualified condemnation of the terms, as stated in Captain Elliot's circular.

It must be observed however that he does not state that Chusan is to be given up, though, according to the Canton papers, that was understood; indeed, as nothing less than a former cession would enable the British to keep it after conditions of peace had been agreed upon it, it may be safely concluded that this conquest is not to be retained. We consider that Chusan alone is a full equivalent, not only for all that has been obtained by treaty, but even for the restoration of an authorized trade. The whole force of the Chinese Government could not have dislodged us, nor its whole power prevented us from carrying on a lucrative and extensive trade with the most important provinces of the Empire. Had the Chinese once become confident in our protection, they would have set their own government at defiance; but how could confidence be expected when they must long ago have discovered the utter imbecility of the British Superintendent, and consequently have felt that they had no security against the vindictive spirit of their own Government?

Chusan would have cost us nothing, for a very light impost on the trade would very soon have paid every expense. Hong Kong, on the contrary, will be a most expensive establishment for no object. It can have no revenue, for that is to be given up to the Chinese! It can scarcely have an trade, for the regular trade can be conducted better and cheaper at Canton, and the smugglers will have no inducement to go to Hong Kong, who subject to Chinese revenue laws. It might no doubt have been made an emporium for British commerce, had a stipulation been made in the treaty that Chinese vessels and merchants of all places might come and freely trade there, and that no hindrance of any kind should be given to such a trade by the Chinese authorities. But as the foreign trade is to be restored to its former footing the Hong will still possess the monopoly, and what should induce the Hong merchants to go away from their residence to seek the foreigners who must come to them if they stay quietly at home? The mere inconvenience of distance from the distance from the great Commercial mart of Canton, and the necessity of transshipping goods are sufficient drawbacks to the success of Capt. Elliott's acquisition, had no other obstacles been suffered to stand in the way, but coupled with commercial monopoly and Chinese fiscal regulations, the new settlement can be of no service, except as a watering place for those who have leisure to retire for a time for the Canton, *gaol*, misnamed a *factory*.

This mistake, however, great as it is, we hold as nothing compared to the utter omission of all mention of the ill-treatment of British subject at Canton, and of a strong assurance for their future protection in honour and safety. Instead of which, Capt. Elliot recommends his countrymen to *forgive and forget*. Has this man any of the blood of that Elliot, who has been appropriately painted by Reynolds as grasping in his right hand the keys of Gibraltar, and holding them in defiance of the most powerful combination of enemies that ever attacked his country? Forgiveness of injuries is a good and a Christian doctrine, but even Christian charity does not require us to deliver ourselves up to those who have already injured us. But the whole affair is of a piece. The man who could show such utter want of spirit as to restrain his office, after his acts had been repudiated by the Government he served; after his bills had been dishonoured and disgracefully returned like those of a bankrupt trader; could not be executed to have much nicer notions as to the honour of his country than as to his own. We believe Capt. Elliot to be a good officer, one who would do his duty on his own quarter deck, but incapacitated by nature for the difficult task of diplomacy, especially with a people so tricky and shuffling as the Chinese. The Whig Government ought certainly to have considered if Capt. Elliot did not throw his commission in their faces, when they repudiated his opium arrangements, that he could not be a fit person to be entrusted with so important a negotiation.

Our morning contemporary, by the bye, speaks of the indemnity as a compensation for opium seizure. This is a mistake. No mention is made of opium in Capt. Elliott's circular, and as the

Whigs have declared in Parliament that they were not making an *Opium War* on the Chinese, it does not appear how they could consistently have accepted, much more have demanded, any payment on account of the opium delivered up. The Plenipo, in his second circular of the 20th, says on the contrary, that he will use his *best effort*, with Her Majesty's Government to secure an *early and entire* advocacy of the claims. How successful his efforts have hitherto been, we have seen in the utter rejection of his bill. But the second paragraph lets us a little into the secret. Plenipo being *mindful of the interests of parties in India*, will not fail respectfully to move the right honorable the Governor General to second these purposes, as far as may seem just to his lordship!

The 'vile trash' will have to be wrung from the hard hand of peasants. The people of England will not pay for Capt. Elliott's blunder, and therefore the people of Bengal must. The twenty-four will probably be moved by the Whigs to address 'Our Governor General,' and to tell him that poor *Tirahit* who has already borne so much must bear the burthen of the compensation. The six millions of dollars (when paid) will be required to defray the expenses of the marvellously successful expedition which has ended with the cession of Hong Kong. Nothing will be left for the Opium claimants, and if they are to be paid at all, it must be by the exertions of that multifarious *Board of Salt, Opium, Customs, &c.* whose members may perhaps recommend 'Our Governor General,' to consent that the sufferers may receive an additional cheat in every lot out of all subsequent sales, should they happily have the wherewithal to avail themselves of the privilege.

As forgetting the money from the British Government, we say as we have done from the first, that they *must* give it out of British revenue, and as for this indemnity, spread over six years, if it were applied solely to this purpose, it would scarcely equal, after deducting expenses, two hundred rupees per chest at the time of seizure. — *Englishman, Feb. 18.*

THE COMPENSATION FROM THE CHINESE.

To the Editor of the Bengal Hurkaru.

Sir,—I cannot make out by Captain Elliott's preliminaries of peace with China, to what purpose the six millions of dollars which the Chinese Government are to pay are to be appropriated—pray can you tell me? Are they to go to the holders of opium scrip, or to the discharge of the expenses of the expedition? Or are they to be considered as a fund, which being very insufficient to discharge both their claims, are to be divided like an insolvent estate, giving to each claimant a proportionable allowance, or dividend?

Yours obediently,

THE MAN IN THE MOON.

Feb. 19, 1841.

[Hurkaru, Feb. 20.]

We have never yet heard any very satisfactory reason assigned why the *MAN IN THE MOON*, should be considered as invariably the most forcible illustration of profound ignorance concerning sublimity proceedings, but so runs the general opinion; and, we confess, that we are in the same predicament with our correspondent, who writes under the name of the dull inhabitant of LUNA. We really do not know what is to be done with the six millions of dollars, promised in the Chinese preliminaries, because looking at the terms of the clause concerning them, the object of their application is "not in sight." Whether they are intended to cover both the claims of opium scrip-holders, and the expenses of the expedition, or whether they are to be applied to either separately, does not appear, although it is pretty apparent that the whole amount would be insufficient for either purpose.

The *Courier* seems to think, that the whole sum will be made over to the scrip-holders, on the strength of a statement in the *Canton Register*, that the subject of the expenses of the expedition "is left for ulterior determination." We are very apprehensive that the Chinese Government will construe the term "indemnification," used as it is used generally, and without any mention of the scrip-holder, as a comprehensive term, and insist that as it has been admitted as the basis of a treaty, they will turn round upon Captain Elliot, should he after signing their preliminaries, make further pecuniary demands, and accuse him of a breach of faith; and it must be confessed, that they will have very plausible grounds for such an accusation. It will be in vain for Captain Elliot to urge, that he and Keshen had "an understanding" about the expenses of the British expedition—the Chinese Government will not be bound to recognize anything beyond what is expressed in the preliminaries, except as to matters of detail. Again the British Government may, very probably, consider the matter as equally plain the other way, and consider the term "indemnification," as only applicable to such objects and purposes, connected with the China quarrel, as they choose to think proper to indemnify; and we suspect, that when the question comes to be mooted, whether the scrip-holders or the British people, the scrip-holders will need a very strenuous advocate to make their claim preponderate over the latter one. Captain Elliot does, indeed, intimate that they have such an advocate—in himself—he promises to do his best for them, and assures them they are not forgotten in his despatches home,—much as the little notary assures Gil Blas, that he is remembered in the will of the fat licen-

ciate. With respect to the third question put to us by our correspondent *THE MAN IN THE MOON*, whether the six millions are to be considered as a common fund, out of which the scrip-holders, and the expenses of the expedition are to receive severally a dividend proportioned to the amount of the several and separate estimate of each. Provided that this were the intention of the contracting parties, it will be found a difficult matter of adjustment, for how is the value of a chest of opium at the time of confiscation to be rated, as against creditors to the expedition? If Capt. Elliott had extracted from the Chinese Government an indemnification for the confiscated opium at the rate of 1,000 rupees a chest, without interfering with other claims, we believe that the piece of plate which the scrip-holders—a subscription plate, as our cotemporary the *Eastern Star* would call it—would have thereupon voted him, would not have been at all disapproved of; but the question assumes quite a different aspect, when the claims of the scrip-holders are but in competition with claims untainted by any objection on the score of smuggling. Captain Elliot appears to have stipulated for six millions, as in full of all demands on the score of indemnification now when we consider the immense loss that has been either directly or indirectly sustained by British merchants, in consequence of the conduct of the Chinese Government, we cannot suppose that if the term "indemnification" is not held to extend to their losses, how it can cover the scrip-holders. But utterly inadequate and unsatisfactory as we deem the pecuniary indemnification stipulated for by Captain Elliot, we are almost a hind to dwell upon such considerations, when we reflect upon the unredressed outrages and insults perpetrated upon the British name, power, and subjects, by the Chinese authorities, or under colour of such authorities' sanction. What redress, atonement, or apology, do the preliminaries stipulate for to the British Government, for the Black Joke outrage? What "indemnification" has been stipulated for, in the case of the unfortunate Englishman, who was mutilated upon that occasion? In a word it appears to us, that the "preliminaries are merely the precursors, of still beginning, never-ending, disputes, between the British Representative in China, and the Chinese official appointed to play the political game of chess with him; and that in order to carry on the game, we shall be put to far greater expense than was requisite to carry on the war—with the probable prospect of being checkmated in the end.—*Hurk. Feb. 20.*

TRESPASS BY STRAY CATTLE.

The subject of stray cattle has frequently occupied the attention of the Press, and the iniquity of the system of impounding them has often been exposed, but hitherto to very little effect. It is bad enough to have our gardens devastated in a single night, by herds of stray cattle—to lose in an hour the choicest exotics, which we have been labouring for months to bring to perfection—to have fences broken down, and rare yearling plants crushed into the earth, and then, when we have been at the pains of catching and sending the depredating oxen to the pound attached to the thanna, to have the gratifying knowledge afforded us, that we have contributed to the Government revenue, without, however, securing any remuneration for ourselves, as the amount, accruing from the redemption or sale of the cattle is paid into the Government treasury. This is bad enough; but when, in addition, we are told by the official in charge of the pound, that if we wish the owners of stray cattle to be punished, by getting their oxen impounded, we must provide a stout tether for each one, and pay a sum of money, sufficient to defray the keep of the cattle at the pound for seven days—when our servants are illegally confined, by the said official, for not complying with this last requisition, and we take the trouble of first ascertaining the fact by ocular demonstration, and then bringing it to the notice of the proper authorities, and can get no redress,—the matter becomes intolerable, and we are forced to cry out against it, and to try if “pernicious publicity” will not, at least, afford a partial check to the proceedings by which we are made to suffer. It never has been our practice, to make the Press subservient to our interests, at the expense of fair dealing, and it never shall; but we cannot recognise the justice of the reasoning which would make the circumstance of a party being connected with the Press, debar him from appropriating it to the exposure of measures which unjustly affect him individually. We, therefore, proceed to lay before the public a report of a suit, lately instituted by our Sub, through his constituted agent, in the Court of the Magistrate of the Twenty-four Pergunnahs, and which we think was unjustly decided. We are sorry to be obliged to say so, for Mr. Torrens’s proceedings, generally, have not been of a character to cause discontent or deserve reprehension.

The Sub-Editor of this journal, having, for a length of time, in common with other parties who have gardens at Sibpore, suffered much loss and tribulation from the depredations of stray cattle, and finding remonstrance with their owners useless, has been accustomed to send the cattle, when captured, to the pound at Howrah, where they used to be invariably received without any demur, by a Mahomedan darogah, who has been removed from the station for some misconduct. A Brahmin has succeeded to the darogahship, and has, ever since his appointment, evinced a strong disinclination to impound cattle. A short time since, a cow that had committed great havoc in a plantation of Afghanistan melons, was captured and sent to this functionary, but he refused to impound it, and

desired the servants who carried it to the thanna, either to supply a stout rope, to fasten the cow with, and also seven days’ provender, or to keep it in their custody for seven days, and then bring it to him; and he would take charge of it. The servants reported this to their master, who, being unwilling either to pay the amount demanded to admit the cow into the pound, or to keep it confined in his garden, caused it to be released, and thought the affair at an end; but he was mistaken. At the expiration of seven days, the darogah sent a chowkedar to demand the cow of the mallies who had conveyed it to the thanna; and on their stating that it had been released by their master’s order, they were seized and taken away to the thanna, where the darogah demanded two rupees from them; for having released the cow, after they had caused him to report its capture to the huzzoor. The mallies, at their master’s instigation, refused to pay this fine, and were imprisoned one for one day, and the other for three days; at the end of which time, the two prisoners were made to stand security for each other, and were then released; and the darogah, when releasing them, assembled a number of ryots, and told them to turn their cattle loose, to obtain grass wherever it was procurable, and that he would cause their liberation whenever captured. The effects of this declaration was most ruinous to the proprietors of unwall’d gardens at Sibpore, as apparently every ox or cow that had previously been kept tied up, was turned loose, to destroy the gardens in the village. An appeal to the magistrate, therefore, became imperatively necessary, and an appeal was consequently made, detailing the losses the appellant had suffered, and the unjust imprisonment his servants had been made to endure; and, to secure the conviction of the darogah, the imprisoned mallies and a durwan were brought into court as evidence, their employer becoming prosecutor for the nonce. But all this was to no purpose; for though, after some expense of money and time, and a great deal of trouble, the charge of false imprisonment was established, as clear as “way to parish chareh,” the magistrate dismissed the suit, saying that he could not punish the darogah on the testimony of one man! Of one man, forsooth! why, merely to obviate this objection, the employer had become the prosecutor, and thus secured the testimony of both the imprisoned mallies besides the durwan, they being the only persons that knew any thing of the affair, *cutcherry* witnesses being neither sought nor produced, to swell the amount of evidence, though a cunning mootbear suggested the advisability of employing half a score of them. The witnesses produced all swore to the truth of the charge, but the official’s simple denial was enough for the huzzoor, who would not even condescend to explain what the regulation respecting stray cattle was, merely observing, in reply to a query from the mootbear, that the regulations remained unaltered. Thus matters remain in *statu quo*; the complainant’s property is being daily injured, and he can procure no redress, his attempt to obtain justice, having only involved him in needless expense and tribulation.

We have not the regulation respecting stray cattle at hand to refer to; but we feel persuaded, that it can not require those who have been injured in their property to be further fined, for making a complaint, to get the cattle impounded, as the darogah of Sulkeah says it does, and as the magistrate would likewise imply, by dismissing the suit instituted against the darogah. Nor can it possibly admit of two darogahs proceeding in different ways in disposing of cattle sent to the pound, one selling them off forthwith, if not redeemed, and forwarding the proceeds to the magistrate's treasury; the other fining the parties sending the cattle to the pound, the cost of seven days' supply of provender, and the price of a rope, and the owner of the animals the amount of damage done by them, and sending, we presume, the entire sum to the Government treasury, as the injured party never is afforded even a pice, to reimburse him for the loss he may have suffered. This, certainly, cannot be the law, but the injustice must be borne, as it would appear that any attempt to obtain redress from the magistrate, will only entail trouble and expense on the complaining party. It is time, however, that this state of affairs was amended—that some system was observed in the poundage of cattle, and that parties suffering damage, should be reimbursed for the loss they endure, instead being further robbed to fill the Government coffers. The existing practice is

A shame, a passing shame,
That calls for instant remedy;

but leniency on the part of the authorities towards their underlings, whose guilt is as apparent as the noonday sun, is not calculated to work a beneficial change, or to urge people to exert themselves to expose abuses.

The suit in question was not hastily instituted, nor from unworthy motives. The object of the prosecutor was to effect a public good, by getting a corrupt Government functionary punished, after having, from personal observation and enquiry, ascertained his guilt. This object has been defeated, by the leniency of the magistrate towards his subordinate, who is left loose, unscathed, to carry on his evil doings with impunity: as an appeal to the Judge, would require more time than the prosecutor can afford to waste on it.

Since penning the above remarks, which are founded on the representation of the mooktear employed to conduct the suit, we have been supplied with a report of the case, by a disinterested party, and publish it in another column.—*Hurk. May 11.*

Mr. R. W. Chew having preferred a complaint against Banne Madub Chatterjee, late Darogah of the Sulkeah division, the case came on for hearing this day. As it is presumed the matter will not be uninteresting, particularly to agriculturalists and proprietors of land, we give Mr. Chew's petition to the court verbatim—and in so doing have to observe that, although greatly to be regretted, the darogah was not empowered to reimburse Mr. Chew for the loss sustained by him on this or former occasions. It must be added, however, that he acted unadvisedly in

not impounding the cow on its being sent to his thannah, the which, and a slight reprimand to the owners, would, in all probability, have been the means of protecting Mr. Smith's property from further trespass, and Mr. Chew from future annoyance.

We are led to suppose, that the local police are not prohibited from impounding cattle, nor are they precluded from imposing a small fine on parties applying for their release, which, after effecting the necessary deductions for their keep, is forwarded to the court. Considering, therefore, that no allowance is ever made to the suffering party out of such fine, or from the proceeds of the sale of the cattle in the absence of claimants, which sometimes happens, we cannot but regret that a demand of seven days' feed, in advance, should have been made by the darogah, as the state is the only gainer on such occasions.

It being a well known fact, that to exaggerate more or less is almost habitual to native servants, we will set aside the allegations made by the mucktees regarding the sayings of the darogah, particularly as the case was not established against that functionary, the Durwan only having clearly deposed to the facts mentioned in Mr. Chew's representation. The darogah being called upon for an explanation, denied the charge made against him, stating, that all he knew of the matter was, that some time since Chunder Chowkedar, of Seebpore, brought two cows to the Thannah for trespassing on Mr. Smith's lands. That he issued the usual "isthear," and desired the Chowkedar to bring the cows to him again in seven days, should they not be redeemed before that time. That the Chowkedar subsequently informed him, that Mr. Smith's mucktees had released the cows, having exacted 12 annas from their owners—whereupon he sent for the mucktees, merely to enquire of them if what the Chowkedar had asserted was true; and finding that they had so acted, he reported the circumstance for the court's information on the 7th ultimo. We are, however, happy to learn, as will be those engaged in agricultural and horticultural pursuits, that the framing of a law is now in contemplation by the authorities, and we hope ere long to see the same duly promulgated.

THE PETITION.

To R. TORRENS, Esq., Magistrate of the 24-Pergunnahs, &c. &c. &c.

The petition of Roger William Chew, of Sibpore, but at present temporarily residing in Calcutta.

Respectfully sheweth:—That your petitioner is sub-editor of the *Bengal Hurkaru* newspaper, and the duly constituted agent of Mr. Samuel Smith, the proprietor of the said paper.

2. That your petitioner, for himself and the said Mr. Samuel Smith, has, for fifteen years past, been engaged in agricultural and horticultural pursuits, in the district now under your jurisdiction, to wit, Howrah, Seebpore, Ramkatepore, and Intally, during which time your petitioner has been a great sufferer from the depredations of stray cattle, and recently in particular, your petitioner has, by means of these cattle, lost an entire plantation of upwards of two biggahs of Cabul

detained a cow for trespassing and committing damages. Your petitioner's servants are, consequently, in great trepidation, and are loath to obey his orders to capture stray cattle, which, for the last four days, have been brought and turned into your petitioner's gardens, and into the Hooghla cultivation on the Sumatra sand, and unless some measure be adopted by you, to check this evil, your petitioner, and others in his neighbourhood, who have been induced by him to turn waste tracts into gardens, within these last few years, will be obliged to abandon horticultural pursuits, and let their lands lie waste, to the detriment of themselves and the country.

7. And lastly, your petitioner respectfully submits, that the darogh, in the several transactions hereinbefore set forth, has acted contrary to the Regulations and in excess of his authority, and therefore illegally,---and your petitioner prays, that you will have the goodness to afford him redress and take measures to prevent the recurrence of the evils he complains against, for which act of kindness your petitioner, as in duty bound, will feel grateful.

Huraru office, 7th April, 1841.—Hark. May 11.

We were sceptical respecting the correctness of the allegation put forth, by our cotemporary the *Friend of India*, that there was no law on the subject of impounding stray cattle, as we were loath to believe that the lieges had been, for a series of years, illegally fined by the authorities,---and we, consequently, set about inquiring into the matter. Our inquiry has convinced us that our cotemporary was---as he generally is on such points---quite correct in his assertion, as there is no law but that of prescription on the subject; and it has also put us in possession of a very curious and important document, framed not to meet the eye of the profane public, but for the edification of our law-givers, in secret conclave assembled. The document we allude to, is a minute, on the subject of stray cattle, by Mr. F. C. Smith, late Superintendent of Police, Lower Provinces, contained in his report to Government, for the second six months of 1838. It is a very curious document, in itself, and goes to show how very a *faulou* ruler are with the laws they are pledged to dispense. But let Mr. Smith enlighten the world in his own words. First, then, he says, in section 1051:---In

all agricultural countries, fines on stray cattle. It has been found necessary, by the cultivators of the soil, to protect their crops from the trespass of cattle. In England, which is generally an enclosed country, a common pound is attached to every lordship or village, or ought to be so by law; the oversight whereof is to be by the Constable or Steward of the leet. The process of distress is entrusted to the tenant in possession of the field, or the owners of the crop in which the trespassing cattle is found *damage fausang*. It is described as the taking of a personal chattel out of the possession of the wrong-doer, in the custody of the person who is injured, to procure a satisfaction for the wrong committed. The process is of two kinds, for cattle for trespassing and doing damage, or for non-payment of rent. In India, where British legislation is still in its infancy,

laws sufficiently stringent have been enacted, to enable the landholders and others to recover by distress her tents due to them, the revenue of government depending in a measure on the efficiency of the law of distraint; but hitherto no law has been enacted to protect the agricultural interests from the damage to which they are rendered liable by the trespass of cattle into cultivated fields, generally unprotected by fences.

Here we find a government functionary telling his superiors, that the government has been unjust in its legislation, inasmuch as it has framed laws sufficiently powerful to screw out of the cultivators of the soil the payment of their rents---the government having an interest in the collection---while it has left the cultivators utterly unprotected, and without means of redress, for any depredations committed on their crops; and if these were entirely destroyed, through the agency of trespassing cattle, no remedy is afforded the cultivator, in the form of compensation, for the losses he has suffered, nor is a penny of his rents remitted in consideration of such losses. We have had revenue officers here, whose fame has been blazoned to the world, as men of the first magnitude of intelligence; and yet we find, that while they have racked their ingenuity, to invent laws, to extort from the cultivators of the soil their rents, and thus secure the payment of the government revenue, they have neglected the only means to ensure such payment, without detriment to the country---that is, by affording the cultivator the means of protecting from destruction his crops, on which, in this agrarian country, the revenue must in a great measure depend; for if the crops, from which the cultivators main income is derived, be destroyed, no laws, however powerful, can force the rents from him.

"He that hath naught, hath naught to give,"

and the collection of naught, will not afford the zemindar the means of paying the government jumma. The consequence is, that the ruination of the ryots ruins the zemendars, whose estates are but too frequently brought to the hammer, by the revenue collectors, and sold to realize the government jumma. But this unjust measure has not been tamely submitted to, even by the pusillanimous and fawning natives of Bengal. Being denied protection by the government, they have taken the law into their own hands, and levied fines on the owners of stray cattle, by impounding the cattle themselves, which practice has led to numerous bloody conflicts, illustrative of the benefits derivable from

"The good old rule, the simple plan,
That they should take who have the power,
And they should keep who can."

These conflicts have induced the magistrates, generally,

"To make their wills their law,"

and adopt a plan, unsanctioned by the Regulations, authorizing the darogahs, in Bengal, Behar and Orissa, to levy fines on the owners of stray cattle, on proof being afforded of damage having been done by them. But hear Mr. Smith on this subject:---

1052. The people, however, were not disposed to remain quiescent observers of the devastation

and other rare melons, which had cost your petitioner much solicitude and expence, as they were exotics which your petitioner, at the instance of the Secretary of the Agri-horticultural Society, was acclimating, and had nearly succeeded in doing so; besides which your petitioner has lost, by the destruction of hoghla by these cattle, about two hundred rupees annually.

3. That your petitioner, in consequence of these frequent losses, after in vain remonstrating with the villagers, issued orders to his millies, to seize the whole of the cattle that might stray into his premises, and send them to the pound attached to the thannah of Sulkeah, which they, in compliance with such directions did; and up to a late date—until the appointment of the present darogah—the captured cattle were regularly received at the said thannah of Sulkeah, but no compensation whatever was ever made to your petitioner for the losses he had sustained. However, as your petitioner's object was not to be reimbursed for damages, but merely to save himself from annoyance, and his own garden, as well as those under his charge, from destruction, your petitioner did not trouble himself about the matter.

4. That a few weeks since (the exact date has escaped your petitioner's memory) several cows, that had been destroying your petitioner's cane and castor-oil plantations, were captured your petitioner's premises, at Silpore,—among the one cow, belonging to a chowkedar of the Silpore thannah; and your petitioner's millies, in obedience to orders received, were about to send them to the Sulkeah Pound, when a large mob of villagers collected opposite to one of your petitioner's gardens, and threatened to maltreat his servants, on their egress from it, if they did not abandon their intention of conveying the cattle to the Sulkeah pound. That your petitioner's servant, Comul mallie, thereupon went to the thannah, which is situated only a few yards from the garden, and craved the thanadar's aid; but he refused to concede it, and told the said Comul mallie to go away, as the thannah people were dining, and further desired him to convey the cattle to Sulkeah in the best way he could, or to keep them for seven days on the premises, when he would forward them to Sulkeah. That Comul mallie then came and reported the above mentioned circumstances to your petitioner, at his office, and your petitioner told him to persevere in his attempt to take, at least one cow to the Pound, and if he were molested or assaulted on the road, to lodge an information before the darogah of Sulkeah on the subject, and your petitioner would endeavour to obtain justice for him.

5. That Comul mallie succeeded in conveying a cow to the Sulkeah thanah; but the darogah, Bancee Madhub Chatterjee, refused to receive it, or any others, unless money for seven days' provender was deposited with him, and a stout tekher supplied for each cow. The mallie, consequently, brought the cow back, and reported what had occurred to your petitioner; and you petitioner being thereupon much annoyed and unwilling to subject himself to further loss, by paying the money demanded (as no return is ever made) and not

wishing to take any further trouble in the matter, particularly as Nujeeboola durwan, in charge of his Howrah estate, had likewise reported, that the darogah had in like manner refused to receive the cattle he had conveyed to the thannah, your petitioner directed the release of the captured cattle, and told his millies to beat out all that trespassed for the future; and as the indulgence your petitioner had granted the natives in the neighbourhood of his garden, of coming at all times in the day for water from his tank, was abused, by their driving their cattle in from the open gate, your petitioner ordered the gate to be closed against all intruders for the future. This measure has given great dissatisfaction to the people of the neighbourhood, and your petitioner has been informed that, instigated by the Cajece of the village and the chowkidars of the Silpore thannah, many of them have complained to the darogah, that they had paid your petitioner's millies from four annas to two rupees each, to get their cattle liberated—the truth or falsehood of which charges your petitioner has no means of ascertaining, and of which he respectfully submits the darogah is not the proper authority to take cognizance.

6. On the above complaints being lodged, the darogah, on the 1st instant, without any other authority than his own will, sent a chowkedar to your petitioner's premises, and apprehended your petitioner's servant, Comul mallie, and took him away to the Sulkeah thanah, where the darogah demanded of him either the production of the cow he had before brought to the thanah, or the payment of two rupees to him, the said darogah, as a fine for having released the cow after he had once captured it and reported his having done so to the thanah. On Comul Mallie's pleading his inability to comply with either condition of the request, he was, by the darogah's order, sent down to the Silpore thanah, where he was confined until the 4th instant, when he was again taken to the Sulkeah thanah, and asked, if he had ever released cattle on being compensated for their keep by their owners. He replied in the affirmative, and was then returned to the Silpore thanah, from whence he was released on Bungee Mallie becoming security for his attendance, and the said Bungee Mallie was immediately afterwards seized by the chowkedar and carried away to Sulkeah, where he was, in like manner as Comul Mallie, interrogated by the moonshee of the thanah, and answered likewise as the said Comul Mallie. The depositions of several villagers then taken, charging Comul and Bungee Mallies, with having extorted money from them, by confining their cows,—no one, however, stating, that a cow had either been stolen or was at that moment detained on the premises where the said mallies dwelt. The darogah then enacted the farce of making the two mallies stand security for each other, and then released them, after they had been confined, Comul Mallie for three days, and Bungee Mallie for one day. And addressing the villagers assembled at the thannah, the darogah told them not to be under any apprehension, or keep their cattle tied; but to turn them loose wherever grass was procurable, for that he would release every one that might be captured and brought to him, without putting the owner to any expence, whatever, and send to the Alipore Catchery any one who

committed on their crops by stray cattle: numberless affrays, which have disgraced our Police statement, from the commencement of our government, may be traced to this feeling: they took the remedy into their own hands; by driving away and impounding the trespassing cattle, and levying fines on the owners, whenever they possessed the power; and in so doing they merely assumed the inherent right, which all possess to protect themselves and property, when the government of the country cannot or will not do it for them; when they meet resistance, the distrait was converted into a bloody affray, and the Magistrates soon found it necessary, in order to keep the peace, to interfere;—hence the universal adoption of a plan in every District in Bengal, Behar and Orissa, whereby the Darogahs of Thannahs have been authorized to levy fines on the owners of trespassing cattle on proof of damage having been done by them.

Of the *modus operandi* Mr. Smith says:—

1053. The system which has obtained is as follows:

“Whenever a person finds cattle grazing in his fields, he drives them to the Thannah. On their arrival, the Darogah takes evidence as to the amount and value of the damage, and if proved, he levies a fine and the cattle are not restored to their owner until the fine be paid. The fines which are levied, after deducting the expenses of the poundage, are sent to the Magistrate, and carried to the account of Government. It will be observed that the system is entirely penal, and the persons who have suffered damage, can only obtain compensation for the injury which their crops have suffered, by a long, tiresome, and expensive regular suit in the Zillah Dewanny Adawlut.

1054. The amount of fines in different Districts differ; the average rate is noted in the margin.

Buffaloe and Horse, 8 As.	of fines in different
Calves and Colts, . . 1 do.	Districts differ; the a-
Sheep and Goat, . . 2 do.	verage rate is noted in
	the margin.

“Mr. Smith may be right, generally, as to the mode of proceeding adopted by the darogahs, but in some parts of the twenty-four Pergannahs the practice is very different. On the simple declaration of the impounder, and without any investigation whatever, the cattle are put into the pound, and a fine, extending from four annas to four rupees, is levied upon each cow, horse or goat, according to its valuation,—besides seven days’ keep, at the rate of two annas per day for a cow or horse, and two pice for a goat;—which, as the provender is supplied from the darogah’s store, is invariably demanded, even if the cattle should be redeemed an hour after being impounded. Nor is a party, even before lodging his complaint of having sustained damage from depredating cattle, allowed to liberate the animals if he has once conveyed them to the thannah. We once witnessed an instance of a man being compelled to declare that he had suffered damage. A mare and foal had been trampling down sugar-cane, and were captured and conveyed to the thanna, by the owner of the plantation. The proprietor of the animals, on being apprized of their capture, hastened after,

and arrived at the thannah almost simultaneously with them. He immediately addressed himself to the party who had seized them, and offered eight annas for their liberation, which sum was gladly accepted. But the darogah was not thus to be balked of his fee. He directed the man who had seized the cattle, to make his complaint, and on his declining to do so, asked him whether he was the owner of the horses. On his replying in the negative, the darogah ordered the hirkundauzes present to take both the man and horses into custody, until the owner of the latter could be found, for that it was obvious to him that the fellow was a thief. The owner of the horses then stepped forward to claim them, and was likewise arrested by the darogah as an accomplice. The cane-planter then proceeded, in self-defence, to state that he had captured the cattle, in consequence of their having trampled down his sugar cane. His *zubanbandee* was immediately taken by the darogah, who then liberated him, after due admonition never again to cheat the Companies bahadoors out of their *huck*. But let us go on with Mr. Smith’s minute. He says in paragraph 1055:—

The checks to prevent extortion on the part of the Darogahs are pronounced to be generally inefficient by the local authorities. The usual system, when a fine has been imposed, is for the Darogah to send a report of the case to the Magistrate, and at the end of the month an account current, which is checked by an examination of Registers kept by the Sheristadar, the Nazir, and the Treasurer, compiled from the Darogah’s reports; but all the Magistrates unite in considering the checks on the Mofussil authorities to be imperfect if not nugatory. Mr. Battye, the Joint Magistrate at Moughyr, states, that no checks exist to restrain the Darogahs. “The system is only sanctioned by the common consent of the people, and he avows himself to be quite at a loss to propose a remedy to prevent extortion.” Mr. Howden, the Acting Magistrate of Sylhet, writes, “that ‘checks upon extortion depend upon the people preferring complaints when they have cause—they must be imperfect at the best. If a Darogah is dishonest enough to pocket the fines and make no report, I am not aware in what manner he can be controlled.”

1056. I, therefore, am of opinion, that the checks which have been devised, to restrain the cupidity of the Darogahs of the Police, are inefficient; but that the checks at the sudder stations on the Magistrate’s Omlah are equal to the advantages expected from them.

1057. I am afraid we cannot expect much Assistance from the people to prevent the embezzlement of the fines. There object is obtained when the person whose cattle damaged their corn has been fined; and they care not what becomes of the amount levied, as they receive no share of it. In proof of this, it is stated by Mr. Metcalfe, the Acting Magistrate of Backergunge, that no Darogah has ever been convicted of extortion, or embezzlement in this particular part of his duty.”

Not only are the checks to prevent extortion on the part of the darogah’s inefficient; but if they choose to embezzle the entire amount of

finer levied by them, the magistrates have no means of preventing them. If the darogahs do not report the capture of any cattle, how is it possible for the magistrate to find out that cattle have been impounded, the report and the imposition of the fine being both entrusted to the same parties, the darogahs? The impounders will not afford any check, for, as Mr. Smith justly observes, their object being merely to get the owners of the cattle that have damaged their crops fined, they cease to take any interest in the matter, as soon as they have had the cattle impounded. Why should they exert themselves, when they have nothing to gain by so doing. And what encouragement is there held out to the cultivators, to afford a check to the darogahs' extortions. Our Sub endeavored to get an extortionate darogah punished: and the result was that he had to disburse twenty-eight rupees without being able to effect his object, though he made out a strong case.

Mr. Smith proceeds:—

1053. Opinions differ as to the advantages of the system at present in force. All the authorities appear to consider some protection from carelessness or enmity of cattle owners, to be due to the agricultural interests: common sense, indeed, shews the necessity of it; and experience has proved that whether laws are enacted or not, the people will have protection, legally if possible, but if not legally by other means.

A diversity of opinions quotha? Well may you add, Mr. Smith, that *common sense* points out the necessity of abandoning the present plan and affording protection to the agricultural interests. And why, if the magistrates—who should be as powerless to frame laws as the poorest coolies in the country—are allowed to ape Jack Cade, and give laws out of their mouths to the lieges, shall not the cultivators of the soil endeavor to obtain that justice for themselves which the laws deny? But Mr. Smith goes on further to show, that not only is the imposition of fines by the darogahs, by order of the magistrates, not sanctioned by law, but that it is in direct violation of laws expressly enacted on the subject. Read what he says:—

1059. There can be no doubt of the illegality of the present system, the illegality of which, I must observe, consists not in driving and pounding of the cattle found *damage faisant*, in the fields, but in the tribunal by which the fines are imposed.

1060. By Clause 1, Section 12, Regulation XX. of 1817, the Darogahs are prohibited, under pain of dismission from office, from taking cognizance of *slight trespasses*, and by Clause 3 of the said Section and Regulation the Darogahs are prohibited from passing sentence upon *any complaint* or from imposing *any fine*.

1061. It will thus be found that the Magistrates have, for a series of years, called upon the Darogahs to perform acts, which by law they could not perform, except under penalty of dismission from office.

Thus, we see, that a very salutary regulation, calculated to protect the lieges from the extortions of the Darogahs, by preventing those functionaries from passing any sentence whatever, or imposing

any fine, has been set aside at the pleasure of the magistrates, who have called upon the darogahs, for a series of years, illegally to perform acts, for which they are liable, according to the Regulations, to be dismissed from office. Our Sub was, therefore, perfectly right in stating, in the ultimate paragraph of his petition to Mr. Torrens, that the darogah had acted illegally, and on violation of the Regulations, in proceeding as he had done.

But it appears by the next paragraph of the minute, that higher authority has been concerned in breaking the laws than even the magistrates and darogahs. The Governor of Bengal, in 1836, on being fully informed of the illegal system in force, directed the collected proceeds of the fines levied, to be carried to the Government account, and any further sums accruing from the same source, to be placed to the public credit. This is certainly a cool method of appropriating the public money. On being acquainted that the magistrates have been illegally extorting money from the people, in the form of unauthorized fines,—instead of causing restitution to be made of the amount thus accumulated,—the Governor of Bengal—the first authority in the land,—in direct contravention of the laws, and the orders of the Sudder Nizamut Adawlut,—directs the amount already collected, to be carried to the account of the Government, and all subsequent accretments to the public credit!! Here are our law-givers who, at least, should be acquainted with the laws, ignorant of their own enactments, contradicting one another, and, between them, filling the Government coffers with money illegally extorted from the people at large! A pretty state of affairs, truly! But hear, again, what Mr. Smith writes on the subject:—

1072. The orders of the Government and of the Nizamut Adawlut on this subject are conflicting.

1083. The Governor of Bengal, on receiving a full exposition of the system in force, instructed the commissioner of Banarsh to carry the produce of the fund to the Government account, and Mr. Secretary Maghra added, "but he (the Governor of Bengal) is of opinion, that the remainder *and any further sums accruing on the same account*, should be carried to the public credit, until the subject shall have received the final consideration of Government." It is evident that the Regulation prohibiting this practice was not taken into consideration, or the Honorable the Governor would never have thus sanctioned the collection of an illegal cess, by an unlawful tribunal, till the final decision of Government should be passed on a point already adjudicated and requiring no decision.

1084. The Nizamut Adawlut prohibited the system in force, in one Zillah, by an order issued to the Sessions Judge of Tirhoot, under date the 21st September 1838, No. 2791, but took no notice of the general adoption of the system in all the rest of the Districts.

Mr. Smith proceeds to suggest the outline of a law, for affording protection to the cultivators of the soil and a very excellent outline it is. Only

when the new law is framed, let a clause be introduced, fixing a given day, after the impounding of the cattle, for the appearance of the impounders, before the moonsiff, or other constituted authority, to prefer their claim to indemnity; for if they are obliged to dance attendance at the catcherry for a month or six weeks, before they can obtain redress, the benefits of the new enactment will be greatly neutralized. A common, of sufficient dimensions, should likewise be afforded to each village as it is in a great measure for want of a common, that cattle are turned into gardens and fields. Read Mr. Smith's recommendation, however:---

1065. As it is impossible to prevent the agricultural classes from pounding cattle found straying, and damaging their crops, it will be necessary to concert a plan, whereby they can be protected from damage and the other classes from extortion and undue restraint of their cattle.

1066. The plan which appears to me to be the most feasible is as follows:

1st. The proprietors and others in possession of land, to be authorized to seize all stray cattle found on their lands, grazing or doing any other kind of damage, and to drive them to the nearest pound.

2d. Every Darogah of a Tannah, every Ameen nominated under Act I. of 1833, or by the Judge of a District, to detain property, and every Pergunnah Cazeer, to keep a pound for the reception of stray cattle brought to the pound, who, in addition to being repaid the expenses of feeding, &c. the cattle, shall receive half the fines to be levied on the owners of the said cattle.

3d. They shall not release any cattle without orders from the Dewanny Adawlut or Moonsiffs, under a heavy penalty.

4th. At table of the fines authorized to be levied to be prepared for their guidance.

1067. Summary suits on plain paper to be brought against the owners if known, of impounded cattle, by the impounders, before the Moonsiffs who, after due enquiry, shall adjudge the payment of half of the specified fines to the pound-keepers and the other half to Government, and shall award damages for the injury committed by the impounded cattle to the injured party. When no owner is to be found, the cattle, as hitherto, to be sent to the Magistrate of the district, to be disposed of in the usual manner.

1068. It will not be expected in this place, that all the precautions necessary to make the plan available, should be set forth. It is enough if the explanation be found sufficiently explicit to enable the legislature to prepare an Act for the purpose.

Mr. Smith concludes, with a statement of fines, collected, in three years, in the thirty-two districts, which goes to show that the amount extorted, since the commencement of the illegal practice of fining, must be pretty considerable, and would materially aid the operations of the Educa-

tion Committee or the Agricultural Society, if made over to either, for the benefit of the country. Here is the Paragraph.

Receipts, ..	81287	5	9	1069. The ac-
Expenditure, 35566	10	0	counts of the fines	
Balance,.....	46720	11	9	deposited in the Mo-
				fussil Treasuries have

been very imperfectly kept up. They have in some districts, been mixed up with other items of collection. I have annexed in the margin the receipts, expenditure, and balance for the 32 districts from the commencement of 1836 to the end of 1838. An abstract account current of fines levied on stray cattle will be found in the Appendix marked L.

We have now gone through the whole of Mr. Smith's minute, and a most curious and instructive document it is. We find from it, first, that while the most stringent laws have been enacted to ensure the collection of the Government's portion of the produce of the soil, the only means of ensuring such collection, *without ruining the country*, has been neglected. Secondly; that the magistrates, of the whole of Bengal, Orissa, and Behar, have, for a series of years, been illegally extorting money from the public, through the agency of the darogahs; and, thirdly, that when the Governor of Bengal is made acquainted with this circumstance, he, very colly, directs the money thus collected, to be sacked on account of Government, and sanctions the continuation of the illegal practice, in direct opposition to the existing Regulations on the subject, and the orders of that august tribunal, the Sadler Nizamut Adawlut. These are nuts for the public to crack---we wish we could stumble on a few more secret reports of the kind, to enable us to illustrate the beauties of the existing system of government in British India. We are now bound to acquit Mr. Torrens of want of courtesy, in refusing to mention what the law was to our Sub's mooktear, when solicited to do so. The question was a regular poser, and might have involved disagreeable consequences if answered; for it would be rather *de trop* for a magistrate to intimate, that he had sanctioned a proceeding in direct contravention of the laws.

But, a new enactment is about to be passed on the subject, and we may, therefore, expect a different state of affairs soon---the sooner the better for the country. We would suggest that, as soon as the law has been passed and promulgated in the newspapers, copies of it should be pasted up in conspicuous parts of every thanna and phanec in the country, for the instruction of the public in general. Great would be the benefit resulting from such a measure.---*Hurkaru, May 24.*

To the Editor of the Bengal Hurkaru.

SIR,--As I see you again on the subject of trespassing cattle, in your issue of 24th inst., I send you herewith, copy of a letter, addressed by me to the magistrate of my district, on the 13th of October, 1840, in reply to a Circular I received from him on the same subject. It will shew you how Agriculturalists in the Mofussil suffer from this cause. You state that the late superinten-

Jent of Police, Mr. Smith, has suggested a very excellent outline of a law for affording protection to the Cultivators of the soil—I beg leave to differ with you in this respect. Mr. Smith proposes that one half of the fines levied on trespassing cattle be paid to the pound keepers, and the other half to Government!—would it not be more fair to pay the whole of the fines to the owner of the crop who impounded the Cattle?—what right or claim have Government to any portion of the fine?

Although there is no Regulation of Government on the subject of stray cattle, there is a Circular of the Sudder Dewanny Adawlut on the subject, copy of which I send you annexed. This Circular, you will find, was inserted in the *Harkara* of the 26 February 1839, having been sent you by another correspondent. It has never been abrogated I believe, but still set at naught by our Mofussil functionaries, who prefer making laws of their own for the benefit of Her Majesty's liege subjects. The rate of fine for trespassing Cattle differs almost in every Zillah:—in Beerhoom it is 8 annas per head, in Moorshebadul 1 anna and in Kishnaghar no fine at all!!

Your most obedient sert.

Golanbunje, May 27th 1811.

GOLAU B.

Extract from the orders of the Sudder Dewanny and Nizamut Adawlut, under date the 28th March 1807. "The Court are of opinion that no fine can be levied by the Police Officers, under the existing Regulations, but that the owner of the crop has an undisputed right of impounding stray Cattle, when found trespassing on his cultivation; and that the expense incurred in feeding and attending the Cattle whilst impounded, should be defrayed by the owner, besides making compensation for damages, if any, previously to the Cattle being released from the pound."

COPY OF THE LETTER.

I have to acknowledge the receipt of your letter of the 22nd ultimo, calling upon me for my opinion regarding the damage done to crops by the trespassing of cattle, with regard to the extent of the annoyance from the present plan of impounding cattle in the police thanmah, and the details of any system recommended for adoption.

In reply I beg to state, that the subject is one of the greatest importance to the agricultural community of every class, and it becomes more important every year in consequence of the increase of cultivation. In former times there was so much "potit" or fallow land attached to every village, that it formed a common for the village cattle to feed upon; but almost all the lands attached to a village are now cultivated, and the ryuts, but more particularly goallahs, are obliged to have recourse to other shifts for the feeding of their cattle, the damage done to the crops is very great. An Indigo field is always considered fair game both by ryuts and goallahs.

* We certainly agree with our correspondent in the opinion that Government should not receive any portion of the fine. The recommendation that one-half should be paid over to Government, escaped our attention in the hurry of writing.—Ed.

It will be found that there are many goallahs in almost every village, who hold large herds of cattle without renting a bigah of land belonging to the village. If one of these men is asked how he maintains such a number of cattle, he will reply on the roads and ghants. This is the only answer that he could possibly give, for it is well known that he cannot afford to tie them up and feed them, a sort of thing that a goallah is never known to do. I very often have the goallahs and ryuts of 6 or 8 villages assemble together in a body, armed with sticks, to graze their cattle by force in my Indigo and Khur lands. This happens generally at night. My servants dare not go near them. Information is given me, and I am obliged to be prepared against the next opportunity that offers, when my servants go out in a body against them, perhaps at midnight. A battle ensues, the goallahs and ryuts generally carry away two-thirds of the cattle, and my servants one-third; it will be seen, therefore, that to seize their cattle is not only a matter of difficulty, but also of danger. Over and above this, I am obliged to send the cattle to the thanmah, or police force, with a strong force, as they very often have to pass the villages to which they belong by the way. It would be of no use suing these parties in the civil court for damage done, as in the event of obtaining a decree, the money could never be recovered, as all their property consists of their cattle, which is easily transferred to some other relation for the time being. They also very often release their cattle at the Thanmah in the names of other parties, men of straw, in case of a civil suit afterwards. A friend of mine obtained a decree about 4 years ago, in the civil court, for injury done to his Indigo crop, but up to this day he has not been able to get the money, nor is it likely that he ever will.

The present plan of sending cattle to the Thanmah is liable to great abuse. The Ryuts pay more than the authorised fine, in the shape of expenses for the keep of the cattle for the time they are at the Thanmah. I do not think the Darogahs account for more than half the cattle they receive to the magistrates of their district. In cases where "chellahs" are sent with the cattle, the Darogah gets over this by giving a "dakhla" or receipt for half the number, and informing the party that the other half are calves, for which he cannot give a receipt.

I look upon the present order for sending Cattle to the Thanmah, as gross injustice to the Agricultural Community. I look upon it further as illegal and not authorised by any Regulation of Government, a stretch of power on the part of the local authorities, which in the course of time has unconsciously received the sanction of Government; in proof of which the local law on the subject of stray cattle is different in every Zillah. In some Zillahs the Cattle are pounded by the owners of crops and detained until a fine is paid, which they are authorised to do by an order of the Sudder Dewanny and Nizamut Adawlut, under date the 28th March 1807, which I believe to be still in force.

I may further state that I believe that not one-sixteenth of the Cattle now pounded by the owners of the crops, throughout the country, are sent to the Thanmah. In some cases the Cattle are relieved without any fine; in others a private arrangement

takes place between the parties, which usually is a fine of from 2 to 4 annas per head for cattle pounded during the day, and 8 annas per head for cattle found trespassing during the night. The 2 annas per head is taken where the cattle have been found grazing on "potil" lands, or ploughed lands.

I would propose that all parties be empowered to pound cattle trespassing or straying on their lands or crops, and to levy a fine of from 4 to 8 annas per head, at the discretion of the owner of the crops if found during the day, and from 8 annas to 1 rupee if found at night. Let the question be calmly and dispassionately considered, and this will be found the fairest plan that can be adopted.* It may be said that it will be liable to abuse. Let a remedy be devised against abuse. The remedy I would propose is, that the magistrate of the district be empowered, on the petition of the owner of the cattle, and on good and sufficient proof being adduced, to fine any party 5 Rs. per head for each bullock not impounded in strict conformity with any regulation that may be passed on the subject, and on non-payment of fine, to 3 months' imprisonment. On the other hand, when it may turn out that the owner of the cattle has brought an utterly false complaint against the owner of the crop who pounded his cattle, let the punishment be reversed.

The above fines should be levied simply where one man's cattle trespass on the lands of another, whether the lands have any crop upon them or not. For instance if cattle trespass on a ploughed field, they do great injury. For in a field of "khar" or thirdling grass, which is a crop worth from 2 to 3 rupees for Begah, (according to its situation) they do great injury—or if even in "potil" or fallow lands, for pasturage is valuable—and it is under any circumstance a piece of neglect for a man to allow his cattle to trespass on his neighbour's lands, for which he deserves to pay a small fine, whether his cattle have done any injury or not.

I would allow the owner of the crop to keep the cattle for 3 days, and if not claimed within that time, the cattle to be sent to the thannah, and after a given time, if not released, to be sold, the amount of the authorised fine to be paid by the Darogah out of the proceeds of sale to the party sending the cattle, and the residue, after

* This would lead to frequent affrays, and a poor man would find it impossible to keep possession of his rich and more powerful neighbour's cattle, when the latter was inclined to remove it by force; consequently he would be denied the justice which Mr. Smith's plan is calculated to afford him.—Ed.

deducting the expenses of keep, to Government, for the improvement of the district.

Over and above the above fines on account of trespass, the owner of the crop to have his remedy in the civil court, for any damage done to his crops.

I do not know the practice in England on the subject of Stray Cattle, but I know what it is in Scotland, where they have perhaps the most equitable laws of any country in the world. In Scotland the owner of the crop is allowed to pound trespassing cattle, and to levy a fine of half a mark Scots per head, which is equal to seven pence sterling, and for any damage done he has his remedy at law besides.

The late superintendent of police has recommended, that the Darogah of every Thannah shall keep a pound, and receive half the fines levied on stray cattle, and that the other half go to Government. This I look upon as very unfair. The cultivator of the soil is obliged to keep a large and expensive establishment for the protection of his crops. He is to be at the trouble, expense and risk, which is often attended with danger, of seizing the cattle, and sending them to the Thannah, perhaps a distance of 20 miles. He, therefore, I maintain, has the best right to the fines. The less the people have to do, or come in contact with the Darogahs or the Native Police, the better. Our present race of Darogahs I look upon as very corrupt men, doing more harm than good to the country. My own opinion is, that we would be much better without them altogether, as the office is at present constituted. Moreover, if the thing were left in the hands of the agricultural community, which it almost virtually is at present, they would have something in the shape of fellow-feeling for each other. If I pound a man's cattle to-day, he may pound mine to-morrow.

Another subject of great importance to the Agricultural community, and which loudly calls for the interference of the legislature, is the number of Brahmimnee bulls wandering about the country. These animals do great injury to the crops, and, if sent to the Thannah, will not be received*. If the Hindoos wish to make such dedications to their deity, let them do so, but let such as do so, support the animal for life, and not let him loose on the public, which to do is, in fact, against their own shasters, so that this being the case, it will not be difficult to legislate on the subject.

When your own report goes to the superintendent of Police, you will oblige me by forwarding this communication along with it.—Hark. June 2.

* They would make capital mess-beef for the China expedition.—Ed.

INDIGO PLANTERS' FUND, &c.

To the Editor of the Bengal Hurkaru.

Sir,—I have, with great pleasure, read the interesting letter inserted in your paper of the 1st March, by *SCHEME*. A few such thinking and enlightened men, as your correspondent, would do a world of good to Agriculturists in general, and more particularly to the European portion of them. On the formation of the Indigo Planters' Association much was expected of it, and people, in general, hailed it happily, as the forerunner of great

and beneficial results to planters principally and Agriculturists generally; but, note its coming into existence,—its progress and its present state, and I am sure you will pronounce, that a greater show of apathy, from a large and well educated portion of British inhabitants, was never made. Is it for the want of able and talented men in that line of life that we have such callousness?—It can't be from mere want of ability and talent, for such is not wanting. Perhaps such ability is nullified by reverses in fortune. In such case, the British

Farmer and metoliant requires to make the greater exertions for rising beyond his misfortunes. But, I ask, in case ability is wanting in the planter, and from misfortunes he might be broken as much in spirit as in means, why are the agents, the great fountain-heads, backward? They are the chief parties interested—if loss is sustained it is theirs—the money advanced for agricultural purposes is theirs—and all, in fact, belongs to them. Few, indeed, are the independant planters now in the country. We hear of agency houses subscribing large sums to certain institutions and plans—are they less interested in Indigomaking than any other scheme which they would wish to succeed? Such, however, seems to be the case, if we look at the support the Indigo Planters' Association has had from them. Look at the subscription list, and look at the presence of their members at the public meetings—we have a miserable blank! Is it so because they are not interested in planting?—the history of the old agency houses will solve this. Is it because they can do without Indigo Planters?—tell them to turn them all a drift, and then make their further consignments of blue. My idea on this head is, that agents are as much required by indigo planters, as planters are necessary as working men for the agents; and still they seem, by their apathy, to have no fellow feeling between them but this, that should the planter be a successful one, he now and then gets an invite to the agent's table while in Calcutta—if he is unsuccessful and old, he is turned adrift, to provide for himself, like the rizer, who, while young and capable, had all the work taken out of him by whip and spur, and when age overtook him, was left to die amidst the very litter he was obliged to cast. The Indigo Planters' Association can't thrive without some proper head. From the planters avocations, he can't be always in Calcutta to head its meetings, and we all know, that without funds no such Association is likely to get on—we shall soon have notice of its demise in the list of obituaries. It requires, certainly, as SCHEM observes, a specific plan of such a nature as to ensure certain and lasting benefit to distressed planters, widows and orphan children. When it is ascertained, that such benevolent views are to be taken into consideration, we shall then, and not till then, see a full list of subscribers, and a very respectable fund for all purposes. As it is—I understand the thing so—a subscription is required as a fund, for the redress of certain evils and disabilities planters are subject to. These evils, I suspect, are very little understood by the present subscribers, if there be any at all, else we should have heard about them. But of the Indigo Planters' Association, what does this mean?—does it mean only a portion of that body who are lucky in being proprietors? If so, they may have evils to redress which they ought to do themselves. It can't be expected that the majority of assistant planters are to help them in this, for their particular advantage. Take a list of the body of planters generally, and you will find an awful disproportion, the proprietors to the assistants, and these latter are required to subscribe as much as the former! What ultimate benefit have they in this. Nay, the whole most arduous work of Indigo planting is borne by this most laborious class of men—without the least chance of ever bettering

themselves by it. They never see the agents belonging to the concern, they are employed at—in fact the agents know them not either as assistants or by name. And if the proprietors should chance to make a good season, he is applauded by his agents, who know just as much as the Governor-General does, what share he individually took in the result of the season. Drawing the drafts, does the proprietor ever mention to his agents the good services of his assistant? I am afraid self-interest forbids him, and in case a bad season is made, the poor assistant, as has occurred lately, gets his salary cut for his pains, some 50 per mensem or so. What cordiality then can be between the two?—none. The assistant has no prospect of rising by his employer's hands, and he naturally will not assist him as far as the Association purposes require, with his but slender means. Open a fund, I repeat again, for distressed and aged planters—and widows and orphans, and you will have sufficient aid, as far as money goes, and when a full treasury is obtained, and the assistant planter finds that his interests are as much at heart as the proprietors' in general, you will then not want support in any one way. So much for the Association. At present I believe the fund has scarcely more than will pay for office charges, and the annual dinner which the proprietor planters can only partake of in Calcutta; for their assistants, at that particular period of the year, are left as choked at home, while the proprietor enjoys himself in town.

India is, indeed, a great field for agricultural exertions and enterprise—our European farmers are but cultivators of the soil, as far hitherto as Indigo has been concerned; and, as sensible very correctly observes, have been in the habit of having their identical fields to work and sow on not only for 20, aye, but for 40 years, in some instances. One can't but wonder at the exhaustion in such cases. It has appeared to me since 1829, that a "muck" has been regularly run by most planters, endeavouring to extend to the greatest pitch the quantity of land they could get in their own particular boundaries (accorded by Byc-Laws) without much care as to distance or qualities. Had such land or parcels of them been sown with any kind of grain, even to the European agriculturist it would have paid better than Indigo has done since 1827; but rapid and large fortunes are desired—small incomes, though surest and largest in the end, slighted—by which means, as has been the case, much money has been sunk for agents. Some good land is to be had all over India, probably at 2 rupees per bighah, and even in the native mode of cultivation, sufficient and handsome profits may be returned, by growing grains of all kinds; but with this we must have frugal agriculturists—not people who can't understand how to live quietly in the mofussil for less than 6 or 800 a month—such people were never intended for planters or agriculturists. SCHEM advises the plan of investment to be in landed property. Such I think a very good investment—and much property is to be bought very cheap at the Government sales for arrears of revenue; in fact Europeans have been known to have amassed large sums of money, merely in this traffic. They or their hirelings watch sales, purchase property, and for a consideration

of 500 to 1000 rs. or perhaps less, let the former proprietor have his property back again. I know of natives now, who make this a trade, and are at present amassing considerable fortunes. But what does SCHEME mean to do with the property after it is bought? Not to grow indigo in it I hope. Any thing, Mr. Editor, will do, and will give a sufficient and handsome return for capital laid out—but indigo—let us have none of it. The markets at home are amply supplied—supplied at a profitable rate to all speculators; but to the producer it is, and has been, a dead loss, and will, with some exceptions, ever be. Let us have no “scheming” in indigo—any thing else, economically managed, will answer well. “SCHEME” thinks irrigation would answer,” if introduced into Tirhoot for indigo. SCHEME perhaps is aware that almost all indigo cultivation in the upper provinces is carried on by irrigation, then let him ask the planters in such districts whether they have succeeded in their pursuits better than their brothers of Tirhoot. I will venture to guess their answer will be a very simple and impressive “No.” Why then should irrigation answer in Tirhoot better than in any other district where enterprise and exertion are of the same stock? SCHEME’s advice or hint, regarding the change of crops, I think a cool one, and if any thing will answer this would for indigo; but of course this is greatly in the hands of the agents, and I’ll tell you how. Planters in general are most unwilling to reduce their indigo cultivation, though they see losses incurred annually. The agents must in the then do so, however. It will be as well to explain what effect such an order will have on the debtor and creditor side of their account current at the end of the year. Those factories having an enormous debt saddled on them, can’t expect to have that debt cleared even by this change of system; for though the returns of grain crops will be certain annually, incurring no loss but returning a moderate profit, still such profit will not, perhaps, do more than pay for interest money in the debt already contracted on indigo, whereas in taking away so much land from indigo operations, it may deprive *probably* the planter of a *slight chance* of a happy hit in recovering his losses. The plan would be for the Agent to commence a new score on the new plan, not altogether throwing up the whole of his claim, but only such part as has accumulated from exorbitant interest and commission charges. I conceive then a new state of things will be altogether flourished—the Agents well repaid, the planter flourishing,—and every one happy and comfortable, from the ryot up to the assistant.

The sum proposed by SCHEME as a subscription fee, would, I am sure, be cheerfully paid, were a feasible plan made up, shewing the actual benefits arising to each subscriber, and that such a plan might be completed surely cannot be denied. Let people set to work earnestly and for a small consideration a competent person may be obtained to do what is required.

Much, I agree with SCHEME, is required, to improve the system of farming. The rotation of crops is not altogether not understood in this country, but like even the Highland peasant’s changes of crops are effected likewise by the

peasantry and native Indian farmers. It is not uncommon to see in one year a bigha or any quantity of land yielding a luxuriant crop of rhur, at bottom of which is the common sweet potatoes or ullona of the country—these crops are off by the month of Bysag, when this parcel of land very generally lies fallow or chow-mus for the succeeding wheat crop, which, when in its proper season is off the ground, is succeeded again by a crop of Indian corn during the rainy months. Rotation of crops is well understood by the native farmer, and is practised by him, as is known to the close observer of native husbandry. Whether such farmers know the reason ascribed for such rotation as is scientifically noted by SCHEME, is a different matter. Perhaps not; yet no cause is attempted even I should suppose by the ignorant native farmer, without having its consequent effect handed down to him by tradition through his forefathers, likewise husbandmen in their time; and I suspect were intelligent native agriculturists properly examined on this score, they would very satisfactorily account in their own way for such rotation. That the proper upsetting of the soil is required and good ploughing the immediate means of this, can be denied; but it strikes me, that “Scotch ploughs” are not exactly the thing for the Indian soil which will not bear so deep a ploughing as that instrument would cause. The strength of the solar rays at some periods of the season are so strong on a moist soil, that the looser the earth the greater must be the evaporation from it of its moisture. This is the thing most desired by farmers in India—without moisture you can have of course no vegetation. Now the Indian plough, crude and simple as it is, I imagine, is the best instrument as for as actual ploughing goes, when properly executed. It neither buries itself too deep, nor, when properly handled, ought it to make a furrow less deep than 6 inches. Even this perhaps may be considered by the native farmer too much. In sowing seed on such ploughing, it will certainly be ascertained that this depth is too much; for in the vegetation of seed, the strength of the germ will rise of its own natural effort under ground to a certain length, mostly not more than two inches—if then the seed be under ground a greater depth than this, the germ will vegetate, and of course rot under ground after it has attained that length of germ from want of natural strength. Sharp pointed shoots, such as rice, or wheat, may be thrown a lower depth into the earth; but round seed will never bear a much deeper bed. To prove in a manner this—why is the Tirhoot drill plough used so much at present, in preference to the common country plough?—for I have heard the drill shares are never allowed to penetrate the earth deeper than one-half to two inches, with any chance of success. And take for instance the germ thrown out by the Indigo seed—watch it—it exhausts itself under ground after attaining the length of about 2 inches. Scotch-ploughs, I am convinced, for an Indian soil, will never answer, unless for fallowing and working during the rains; and I certainly think to work lands without such for Indigo sowing, is only adding so much more to the chances against the plant. Severe droughts have worked already against success, and to let the scorching sun have full power, with deep

ploughing, upon lands not over abundant with moisture is only working, I should imagine, right in the teeth of success. Mowing in this country, as in all others, kills well, and were more money spent upon it, and from the over abundant sum thrown away in procuring of large quantities of Indigo seed impracticable, the change of plow would perhaps be beneficially felt. I shall feel happy to find SCHEM's letter has met with attention by the "Indigo Planters'" Association, and, in fact, by all interested in the business of agriculture. A few such able correspondents as your friend SCHEM, Mr. Editor, would make a few hands interested.

BURRAH KHOOS.

Chancepore, 8th March, 1841 [Hurr. March 18.

We inserted, a few days ago, a letter from a correspondent, under the signature of SCHEM, which letter we accompanied with a few remarks of our own, and we to-day very readily insert another letter, bearing on the same subject, and we shall with great alacrity lend our further and best assistance to the promotion of the object, which our correspondents have in view. In order to do this efficiently, we must endeavour to obtain a clear apprehension of the object sought to be obtained. We take it that object is the promotion of the general interests of the Agricultural prospects of India, by the adoption of a plan which will supply a source of protection and support, either for the families of those who perish in the service of this cause, or for themselves, in case of sickness or disablement. If we thus state the case rightly, we think that we state a case, which does involve the common interests of all parties, of the agent in Calcutta, improperly so called, as he is the principal—of the Planter, who is really the agent, and of the assistant, who is really the labourer in the vineyard. There cannot be a doubt but that the real interests, of all these parties, are identical, and that it will be consistent alike with the interests and good principles of the agents, as they are improperly termed, to cultivate and support any practicable plan for providing a security for the "assistant" labourer in the vineyard, finding for himself and his family a resource in case of sickness or death. Our to-day's correspondent likens the assistant planter, to the high-mettled racer, who, after having the best of his work taken out of him for the benefit of those for whom he has worked, is thrown aside when passed work. But the sagacity of the employer of the "assistant" will perceive this difference, that the high-mettled racer is not a reasoning being, and that if he were he would never have had his name entered for the plate, on equal terms, supposing that he was to be provided for when he broke down, and supposing that he was not. No high-mettled racer, who has the faculty of reason, will do that, and the proprietors of factories may depend upon it, that this consideration is a very serious ingredient in the cost of cultivation and produce. The object which our correspondents have in view, we, therefore, consider to be a common cause with the proprietor, his factor, and his assistant—and we would urge the former

to support it, as equally consistent with kindness and humanity, as with his own interests, and with the general agricultural interests of India. As the plan becomes more developed, we shall be happy to afford our best suggestions.

Our correspondent BURRAH KHOOS is, however, mistaken respecting the nature of rotation of crops, or he would not say that the peasantry of India resorted to it. They do, indeed, nominally change their cultivation, but seldom, if ever, the nature of it. Thus, ground that has produced paddy in the rains, is made to grow wheat, maize, bulky or mustard seed in the cold weather. The ground by this process becomes further impoverished, instead of being relieved, is, though nominally different, these plants exhaust precisely the same properties from it for their nourishment. And the still more injurious expedient, of which our correspondent speaks, is generally adopted, viz, that of planting potatoes or melons between narrow rows of rice (pulse), wheat or maize, thereby causing the soil to be drained in a double proportion, by planting it once *two or more crops* to sack the ground barren. Nothing can be more injurious than this practice, and it is by this double and sometimes quadruple drain, simultaneously on the soil, that it becomes, ultimately, completely denied of all nutritious properties. It is not merely a nominal change of the cultivation, but a proper change, that is required, to keep the soil vigorous, and make it produce, in this general climate, crops in abundance. To teach the natives this, the Asiatic Horticulture Society are now exciting themselves, and indigenous planter and others, in the agricultural districts will do an incalculable good to the country if they all acquaint themselves with the theory of proper agriculture, and teach it to the natives, who are willing to learn only what can be proved to be admitted to promote their interests,—and practical illustration, therefore, is the only method that will make them resort to a more profitable mode of husbandry.

Respecting ploughs, also, we differ from our correspondent. The deeper the furrow, the better for the cultivation, as it permits the young plant to take deep root the easier. There is no necessity for driving the seed to the bottom, however deep the furrow may be—two or three inches is the utmost depth it requires to be raked in. If the seed was flung under the furrow, after it was turned up, instead of the furrow being broken up and then ploughed to receive the seed, as is the case, our correspondent would be right in his theory, as it is he is quite wrong. No person acquainted with the proper method of sowing, would "bury" the seed of any plant.—Hurr. March 16.

COMPANY OF THE UNITED BODY OF PLANTERS

To the Editor of the Bengal Hurkaru.

SIR,—It is allowed, I believe, by all persons interested in the subject of the Association, that it is desirable, proprietors and assistants should unite in establishing a fund for those members of the

Profession, who may be afflicted with considerable reverse of fortune, superannuation by age, or a broken constitution; the temporary stroke of sickness or poverty, and, though last not least of importance, a provision for their widows and orphans.

Such being the case, I shall not greatly apologize for submitting my views upon the subject, as the more this matter is discussed in all its various bearings, the more likely are we ultimately to arrive at the desired issue; and, upon such a permanent foundation, as will give confidence and satisfaction to all the members of this most extensive class of British Indian agriculturalists. I have the more confidence, too, in addressing you upon so important a consideration, strengthened and assisted, as my own superficial ideas are upon the subject, by the well digested opinions of a friend, probably one of the many most experienced in indigo pursuits. It appears from your late reports, that meetings have been held in Calcutta, and that many gentlemen have given their adhesion to establish a fund for calling into existence so desirable and necessary an institution.

This is the premier pas to the ultimate realization of so laudable a measure, and those gentlemen deserve the warmest thanks of the planting community, for their spirited, disinterested and benevolent conduct. It has been asked repeatedly, in public and in private, to what cause can be assigned the extraordinary apathy displayed by most planters in keeping aloof from an establishment, which must be attended with such extensive benefits to all the members of the community. This apparent indifference cannot proceed from a narrow-mindedness of principle or sordid motives, for, I believe, planters in general, (perhaps most unfortunately for themselves and families,) do not possess either of those peculiarities. It is not from disinclination to unite themselves into an acting body, for that is allowed by all hands to be desirable, and was the main object for commencing the Association, the main spring of the movement, from the working of which such great expectations were founded. What then can be the operating cause of this apathy? If we can but discover the germ of the disease, possibly an antidote may be administered, to destroy its withering operations. It appears to my view of the subject, that the cause of this calamity, for nothing else can I designate it, is engendered in the word "distrust"—not distrust, mind you, in the promoters of the association, either as a body or as individuals—not distrust in the realization of the object in view—not a distrust of funds being forthcoming—but a "distrust" of the regulations of the society—distrust of the future executive body—and distrust of themselves as a numerous body of men, achieving perfect unanimity of purpose. Should such really be the case, it is most important, that measures be taken to dissipate impressions so undermining to the good cause, for until such are irradiated, no successful consummation can be calculated upon, and in order to do so, the first operation should be to lay the foundation of the institution upon that broad basis, that will stamp success upon the order of architecture, upon which that fabric is to be reared. The next is a specific code of regulations for the

working of the executive body, and framed upon those terms of impartiality, equity and simplicity, that will suit the means and views of all parties about to be brought together in one indissoluble bond of "union." Much good was expected from the dawn of the Planters' Association,—much good was prognosticated of it, and the most splendid results may yet be realized from it, and success beyond an ordinary rate of calculation. Benefits, not only to planters themselves and their children, but to the millions of our fellow creatures, to the government of the home country, and benefits to science, civilization and Christianity. At present, allow me to ask, what acknowledged position have planters in this country? Where do they even at present circulate their annual capital? None! they are a community without a name, a body possessing all the organs, faculties and energies of the animal man, but without his blessings of speech. A body—a large intelligent and numerous body, that might form the right hand and the left hand to the commercial interest of the home country, and yet, from their tongue-tied position, they can but utter an inexpressive groan in vindication of their own most vital interests. We know from practical experience and observation, that "union is strength." We know also, that nothing binds men so strongly together as their mutual interests. Let individual interest then, be the cement on which the foundation-stone of this important fabric be laid—a benevolent fund will unite that interest, a retiring fund will consolidate it. In my humble view, to frame this institution upon its own reasonable and rational base, the ground of it should be an union of the three classes of individuals, who are in this country, most interested in the cultivation of indigo—"Agents, proprietors, assistants." The former class are equally exposed to the reverse of success, as connected with indigo, and their risks, if any thing, are even greater, for the money is principally theirs; and they have the same anxiety of hope and fear; and, in working out my views upon this question, I think it will be manifest, it is their interest, and their protection equally to become members of this, may be, most important body of men. Supposing, however, that simply from their enlightened character, enterprising reputation and liberal feelings these gentlemen may be induced to co-operate, there can be then no objection, in the first instance, to a general fund, capital, or treasury, being established upon the article itself, assisted by a proportionate annual subscription, from "agents, proprietors and assistants, each contributing a proportionate per centage, and possessing a proportionate influence in the management of affairs. For the purpose of allaying the conflicting interests, brought about by the variety of rates of salary, I have divided subscribers generally into three classes. The first use that each subscriber should make of that influence, should be in recording (per post) his "aye or nay, to certain regulations, that could be published, qualified to answer the purpose of security to the body"—that

Code of Regulations

should apply to the duties, guidance, and continuance of the executive board, upon the appointment of that executive body, and upon the revision,

addition to, or expulsion of all such acts or regulations as may be found to militate against the general interests of the body. The executive board, to be elected annually, and not to consist of less than 12 members, with chairman, deputy do., and secretary, half of whom must be resident in Calcutta, but to possess the privilege of recording their vote by post or proxy. This unpaid executive board to be selected from subscribers of the 1st class, and to be elected by a majority of votes from all classes of subscribers. Members of the 1st class possessing 2 votes, and 2nd and 3rd classes one each, but upon all revision of existing regulations relating to capital, revenue, or contributions to the funds, each subscriber to have an equal voice. The amount raised during the term of the first seven years, to form the minimum of capital upon which the body performs its future operations, and from the interest of which, annual votes can be given for the sum to be apportioned, for the exigencies of the benevolent or "relief fund." After that term, to apply also to the amount of the "retiring fund," and also to the pension fund, for widows and orphans, which might also contain a provision for assistance towards the education of children at a triennial period, when they require greater expenses in prosecuting their studies. All proceedings and sittings of the executive board to be recorded, printed, and a certain number of copies forwarded monthly, to an honorary secretary of each district, whose attention to the proceeding of the "board," would, in all probability, insure him the suffrages of his friends in his part of the country, for a seat in the board at the ensuing election of its members at the termination of the season. The maximum paid up capital, and all overplus monies, arising from a judicious management of the finances, to be invested in the purchase of land, either from estates brought into Mofussil courts, or fresh tracts of uncultivated country, pronounced suitable by competent judges for the successful cultivation of such staple produce as sugar tea, coffee, tobacco, (why not the grape?) cotton, flax, hemp and silk, or a maximum quantity of land established for the cultivation of Indigo, that will guard the community in general against its over production. These purchases of land, to become bona fide, the estates of the body corporate, and to be leased out to such members of "the union" as the fundamental rule of my plan is impartial justice to all parties about to become connected, the union could not countenance, or attempt a lower rate of interest, than that current in Calcutta, and, indeed, however desirable it might be to attain money at a lower rate, we could not expect co-operation from them, if it were attempted. Should they be pleased to make the voluntary sacrifice, it is "quite another thing," but every article has its value, and as unemployed cash is not so plentiful in Calcutta as in London, why, it necessarily follows, that the use of it should

be paid for in proportion. I have known good bills, done in the city money market for 2½ per cent., when it has been very plentiful, but in other circles I have known 10, 16, and 20 per cent. obtained, and in an underhand manner, (and certainly with some little risk) at 50 per cent; but since the partial repeal of the usury law, I believe 3 per cent. is not uncommon amongst bill discounters.

Having thus far dissected a mode capable of protecting, administering, and investing the finances, the next comes the

Plan for establishing a primary fund;

and as in all cases of government revenue, that kind of collection is best, which possesses the simplest, most perfect and cheapest way of obtaining it, I should say, take it "by the cheat," by all means, at a proportionate decrease during the before mentioned 7 years, commencing with 4 annas per maund, or a rupee per chest, averaging the seasons at about 120,000 maunds, that will give a total of 30,000 chests, and at the end of the 7 years will stand about thus, —

1st year, 30,000 chests, at 1 re., C.'s Rs. 30,000			
2d year, .. 30,000 "	1 "	"	30,000
3d & 4th years, .. 60,000 "	12 as.	"	45,000
5th, 6th & 7th years, 20,000 "	8 "	"	45,000

which gives a net capital, unaided by interest, subscriptions or improved investment of 150,000 Co.'s Rs. Upon consideration, this plan will not be found to fall heavy upon the factories, from the numerous and various ways, that there are of slightly tightening the reins of such charges as can be best afforded towards lending a hand, pro tem, to the permanent consolidation of so paramount a consideration as the protection both of "men, factories and lands," engaged in cultivation of Indigo. I cannot presume to suppose, that there can be any objection urged by proprietors themselves against the article itself, raising as it were the first out-works of defence, as the main intent of the Association was originally to protect the peculiar interests of the proprietors, and we cannot harbour the notion, that it had ever been expected, ill paid or well-paid cultivators of an article should contribute finances to the protection of which they had nothing beyond a temporary and precarious interest. To surmount the difficulty of adjusting one satisfactory rate for all subscribers, as I have before said, I have divided them into 3 classes, and taking as a standard for the maximum and minimum of the subscriptions, salaries under the following heads, viz.

Assistants at salaries

under 200 Rs. per mensem, to be subscribers of the 3d class.
from 200 and under 300 " " to be subscribers of the 2d class.
and assistants at 400, and upwards, with proprietors and agents, to constitute the members of the 1st class, leaving it optional to subscribers of 2d and 3rd to belong to the 1st class, which I have no doubt, many of them would prefer (I would certainly do so myself) as a safe mode of increasing

a few rupees, which might perhaps be otherwise uselessly expended, more particularly, as it would be essential, before they could retire as 1st class subscribers, they must take up their qualification for the same, by paying up all the necessary compound interest of arrears previous to obtaining the annual equivalent.

Averaging the number of persons to be brought together at 2,000, and taking a calculation of 24 per cent. upon each class of Subscribers, I believe, it would produce something like the following amount in the septennial terms alluded to.

Co.'s Rs.		
1000 Subscribers of 3d class, at 60 Rs. p ann.,	60,000	
500 do. 2d class, at 90 " "	45,000	
500 do. 1st class, at 120 " "	60,000	
	165,000	
	7 yrs.	
	Co.'s Rs. 1,155,000	

by which it will appear, that exclusive of interest, compound interest, profitable and improved investments during the probation, certainly at the end of that time, there will be a capital of

By a mount raised per chest,	Co's Rs.
1, 50, 000	
By do. per subscribers,	"
11, 50, 000	

or, 1, 305, 000 Co's Rs. : but supposing all members at once commenced contributing to the 1st class of subscribers, the capital at that period would be about this—

2,000 Subscribers of the 1st class. . .	Co's Rs.
1, 680, 000	
.....	Contribution per chests
.....	150, 000
	1, 830, 000

or 28, 30, 000 rupees without the addition of a pice for single interest or compound interest, so that by safest calculation at the lowest rate, that this capital could be invested in estates, so advantageously to be bought, the capital of "the Union" would be not less than 20 lakhs; but supposing good bargains were made, and the whole farmed out in the way that I have set forth, there would be the revenues to support a "Retiring Fund" of at least the capital of 30 lakhs; at the end of the 7 years above mentioned. Presuming that, at the end of the 7 years, one-tenth might wish to retire, and that to do so, they were to pay down a sum equal to 14 years, continued subscriptions, they would have contributed per member better than 2,500 rupees; the payment of the 14 years' additional subscriptions, by one-tenth of the member would produce an aggregate of Co's Rs. 3,52,000, also to be invested in land, as aforesaid, the interest of which, added to the previous annual revenue of 300,000 rupees, would enable "the Union" to grant annuities of 1,800, rupees per annum, for the total subscription in each 2,500, rupees. This calculation is made at the simple ratio of 10 per cent realized upon the rental of capital so invested, but when the chances are taken in consideration of

deaths, and the matter is mathematically computed I have little doubt, but that it could be well afforded to increase that amount; but, certainly, for the consideration of 2,500 rupees, an Annuity to obtain a sum of 1,800 rupees per annum, appears to me, to be beyond the reach of any other institution. The wonderful addition, too, of compound interest in the "Union's" favor, would also act considerably upon the annuities, and the admission of new members, would again create an annual increase by way of premiums—there would also be another source of revenue to the funds, and yet also create a saving to the proprietor, namely, that on his desire to return to his native shore, if success had attended his exertions, he might be willing to be quit of his works erected on the estate, and so compromise with the "Executive Board" for a sum down, to have done with it, the issue of which would be, that "the Board" might either cultivate that estate pro tem, on the "Union's" account, or obtain an increased, yet equitable value, from the ensuing lease-holders, and which would also be a saving to the new comer himself, large, personal profit not being required. Having thus far sketched out a plan for organization, raising primary capital, annual subscription, retiring fund, with mode for investing, protecting, and increasing the same, I proceed to the.

Benevolent or Relief Fund,

which should apply to cases of temporary distress, medical relief, if out of employ, or suffering from illness, incapacitating for discharge of duties, with assistance (if necessary) towards obtaining a passage to sea, or change of air to attain perfect reestablishment of health, and so enabling the subscribers to return to his duties with invigorated health and spirits. Of course, the circumstances of each subscriber's case could be canvassed in the zillah to which he belongs; and a certificate presented to the "Board" from his medical man, and backed by a subscriber of each class, or to of the 1st, and upon such occasions as demanded, if rules of the relief fund could be somewhat relaxed, if considered necessary by the unanimous decision of the Board. The retiring fund having been dissected so far as my calculation at present will permit, I next proceed to the

Widow and Orphan Pension Fund,

the funds from which could be annually vote from the revenues of the "Union," and which amount would be, of course, regulated by the class of subscribers, to which the husband or parent belonged. I consider the calls upon this fund should only continue during the unprotected state of widowhood, or unmarried state of the daughters, the boys also until the age of 14 years, with this addition, that they be found employment by means of the Executive Board's influence, and, of course, enrolled members of "the Union." The annuities to this fund can only be determined fairly by a minute calculation, or the opinions of more experienced members than your correspondent, but, at all events, it ought to be sufficient to support the mother in comfort, and respectability. By such means, the Planter's Union may be made to be, not only a source of protection to planting pursuits, but a source of protection and consolation to the planter

and this family, when suffering from the shafts of misfortune, the stroke of sickness, or even when the hand of death be upon him.

In addition to the above, there might be a fund, produced from the interest of various contingent deposits, that may occur as advantageous to the body generally, and might be called the

Absentee Fund,

which would allow a limited number annually to visit, for the space of two years, either the shores of Europe, or to follow the bent of their inclinations elsewhere. Priority on the list should be obtained by purchase in advance, say a three year's purchase, and, of course, if death ensued, the sum paid would fall to the profit of the absentee fund. An annual vote from the revenues could also be made to assist this fund, and as reduce the amount of purchase money. Thus far having laid out ideas, upon the individual links of the society, I return to the subject of *investment*, its main chain, which must be laid, and the fundamental law of the union body, a law to be irrevocable as that of the Medes and Persians. The original policy adopted of the conquest of Bengal, however political, might have appeared at the time, proves now to have been founded upon erroneous impressions; thousands of rupees were paid for comparatively a few beegahs in Calcutta; and yet it was given away like waste paper to the subdued natives. — The consequence is, that the landlords of British India are the native, and British settlers, with few exceptions, are mere pilgrims in it. In most instances, they are the origin of the Planter's vexations, annoyances, and will be so, so long as they possess paramount influence in the same. The leading feature in my plan, is to make "the Union" the future *zemindar* of the country, and from the moment that the association becomes embodied in a plan of this description, native power and influence must decline, and a more wholesome, generous, and protecting system will the poor ryots have in prospective. The real oppressor of the ryot is the zemindar and his myrmidons, men of the same colour, same blood, same tongue, and his own countrymen. All classes, all tribes, are alike, craving, grasping, overreaching, and oppressive. It will also have the effect of keeping estates once calculated by British subjects, in the permanent occupation of their descendants, those men, (for whom to coin a word,) as Britasian agriculturalists in heriting the blood, bone, bottom, and go-along energy of their British forefathers, will finally bring into operation all the valuable and countless resources of this vast, fertile and populous division of the British Empire. Who then can calculate, upon the result, of so much good, effected over a surface of country more extensive than the whole of Europe itself, and where, in certain seasons, vegetable productions thrive with a vigour, that is unknown in other countries. Nothing, but an improved system, assisted by British industry, capital and skill, is wanted to make India as wealthy in the staple produce of the surface of the earth, as England is beneath that surface in the riches of her mineral and metallic mines. The working of this system would also give to British India, an order of men, equaling in moral worth, the intelligence, probity and energy of the country gentlemen at

home, and equally capable of rendering assistance to the British Government in the future local administration of affairs. Even under the present system, who are the real diffusers of capital and civilization throughout the mofussil districts? — the planters. — Whose habits of civilized life and education have tended to expose, weaken and destroy, the prejudice of caste, and female degradation? The benign influence of the example of the Planter and his domestic circle. I detract nothing from the worthy Missionaries, but they are few in number to the Planters scattered throughout the Mofussil. To whom then can the future English Government look for the realizing of all their fondest and most sanguine hopes, for the improvement of her Indian dominions, but the cultivators of her soil, the Planters and their children. Look at the petty revenues of India, and her enormous country; Look at the diminutive spot of earth England is, and her enormous revenues. The taxation of England is unparalleled in the annals of nations, but the energy and industry of her sons, enable them to surmount such unprecedented expenditure; and even, notwithstanding all this great cost of civil authorities for so small a country, how vast a body of them are, the *unpaid* Magistrates, Mayors, Alderman, Sheriffs, Lord Lieutenants, &c., &c., who perform their civil duties throughout their local districts. But in British India the case is, "toute au contraire," — just turned upside down, — the very reverse of things, and yet to administer an anti-christian, corrupt Mahomedan law, to a corrupt people, we have so expensive a system for the civil service of this country, that the ancient or modern world could not produce its fellow. Her military service, too, spread over so large a surface, is inadequate in force: but her fiscal revenues cannot be increased. Her land revenues are comparatively trifling to what they might have been, and her import tariff cannot profitably be raised. The low rate of labour, will, for years, prevent her millions consuming the luxuries or necessities, of European civilization. Even if all prejudice of caste were totally rooted out, their simple wants and habits must long yet be the same. And yet, under all this conflicting financial revenue, the army must be augmented, may even doubled before an inch of frontier can be afforded to be lost. One retrograde step to Calcutta, and it is not difficult to predict the beginning of the end, to England's paramount influence in Hindostan. And what even now assists the Company to pay her civil and military services? Monopoly — and monopoly of the worst description — a government monopoly for odious opium a ditto of useful salt; the latter a common and essential necessary of life and health for the poor two-pence-per-day-earning agriculturist. The consumption of British manufactures in the West Indies, is four pounds, sixteen shillings sterling, per head, on the aggregate of the population: here it amounts to 4 annas! What then can increase, so important a consideration to Britain in general? Nothing but a more extensive diffusion of of industry and enterprise throughout these measureless tracts of country, in aid of calling into existence all its dormant properties. How is that to be done? or what mighty engine is to be the head and arms of this gigantic enterprise! European Agriculturists and their descendants, the future planters of this country. Experience tells us little can be expected

from the "hiboo," (as a general body, although therefore brilliant exceptions) he may be somewhat improved in his earlier days by his English education, but after a time, the good effects evaporate, and he relapses into the useless sensualist. To whom then can the British Parliament and nation look as a co-operating body, for fostering the internal resources of her Eastern possessions?—None other than the body of planters. The present system of the Parliament is far from being a monopoly-patronizing body—the ensuing thirteen years will not change or diminish that system.

The original object of the charter to the Company has been more than consummated by some ten million fold—the next charter, if granted, must be for the purpose of continuing a board for the monopoly of patronage, which I do not think the ministry of that day could conveniently dispense with themselves. As an integral part of the crown of England's Empire, the splendour of its diadem, could not be sullied by the coarse rags of Government monopoly; therefore, when that period arrives, as a source of direct revenue to the emergencies of the state, both the opium and salt monopolies must go to pot. But it is useless to exercise human ingenuity in discovering any more rag-like contributions, for counterbalancing the deficiency, for the country could not pay it, the natives could never afford it. But yet, in the midst of all this, the military service cannot be reduced, or economically pruned; on the contrary, circumstances imperatively demand it should be engorged with reinvigorating shoots. Under all these circumstances, what must give way to the urgent necessities of the state? Why, that so-called expensive civil service. But how is that to be done, the good folks at home will say, if the laws are to be administered and property protected? A small staff voice whispers, in lieu of having an over-paid salaried European to take the rapaces, and a corrupt native official, to corrupt the witnesses, and do the work, let there be an established service of sworn crown interpreters, with good salaries, selected from some of the talented and educated East Indians. The un-covenanted collectors are allowed to do the principal part of the collector's duties, and why should they not be equally trustworthy and capable of performing higher offices? Certainly they could never achieve more egregious blunders, and freaks of judicial inequity than are often performed by the covenanted. Finally, a bench of unpaid magistrates for each district of the country. But even so, is any large body of Europeans sufficiently independent and intelligent to perform those magisterial duties? Yes, the most intelligent and wealthy of the body planters. And to the Planters alone must the Government of England look for this assistance, at some distant period. Some of your readers may laugh, some may adopt these views, bearing upon the future position of the Planters; but so will they be, if the ordinary course of things takes its way. Then how much it behoves this same class—this important body that may be—to place themselves in a proper position for assisting the home country, not only for their own individual interests, but for the interests of civilization. Let them, therefore, unite and form themselves into a wealthy and powerful order of men, by the means that are

devised, and they will immediately find their exertions are responded to, by their brethren at home: their complaints will no longer pass over as they have been, but their interests will be watched, their suggestions listened to, and, above all, they will be looked up to by the future administration and Parliament of England, as a body of first rate or paramount importance, both to British India and Great Britain.

The attention which East Indian affairs are engrossing at this period at home, will guarantee the satisfaction with which an announcement of this union would then be hailed, and, therefore, I do not think I am far wrong if I add, the present time for the general consolidation of such a measure, is peculiarly propitious, and deserves the earnest and most serious attention of planters, agents and assistants.

The first step to be taken is a general enrollment *nomens volens*,—with name and address. To simplify the enrollment, let all assistants of one concern unite, and that will save trouble and postage; ulterior measures can then be framed, developed, advertised, discussed and voted upon with every probability of arriving at some satisfactory conclusion. Let candour, cordiality and co-operation be the motto of "the union," and success, splendid success, must be the result.

Plan to establish a society capable, of carrying out such a desirable reformation, a cause worthy of support and assistance alike from statesmen, clergy, the commercial and the entire body of philanthropists, East and West, can never be consolidated by subscriptions from the pay of assistant planters, or donations from the proprietors. The system would be too languid, the collections too feeble and feeble, to be lasting. Besides, being utterly incapable of rendering sufficient aid to the various bearings of the case, I firmly believe find, founded upon the article itself, as it were, the key-stone of the building, (for a limited septennial period) would have the salutary effect of cementing all differences of opinion upon the matter, and give general satisfaction to all concerned. The next propitious advance, will be equity of purpose, impartially observed throughout all preliminary proceedings—all to be square and above board work, no hole and corner meetings, no petty jobs of dinners, &c., which, though both contemptible in amount and question, certainly give a subject for comment, and by exaggeration engender dissatisfaction. I cannot close the subject without adding, that long previous to an idea of touching upon this matter having entered my brain, I have watched with anxiety the proceedings of the Association, reading repeatedly with attention the interesting letters of your correspondent "SHEPHERD" Mr. ROSS and "BRUNAN KUOOGA," and most cordially do I agree in their views, &c., respecting advantages from improved tillage and cultivation; but it must be borne in mind, that the habits and climate of this country are all unfavorable for obtaining large quantities of vegetable manure—swine, cattle, fowls, &c. &c., are not in such request as in our colder climate, were mountainous heaps are to be met with in every farm yard, and lively stable, either of village or city, independent of stores of soot, soil, and ashes belonging to the dustmen's

wharfs on the banks of every canal. In conclusion, I will quote 2 or 3 most important remarks from the above mentioned correspondence, which I consider should be well impressed upon the minds of all persons directly concerned. "What a field does India present for operations of skill and science." "Frame a specified plan of such a nature, as will insure lasting benefit to distressed planters, their widows and their orphans." "They must have something palpable presented to them, and they must have confidence with energy, judgment, and business-like habits of the persons who are to give the Scheme practical effect."

There is plenty of talent in the commercial world in Calcutta to attain the assistance, surely, of half a dozen gentlemen connected with Indigo, who would co-operate with half a dozen other members of intelligence and energy residing in the Mofussil, and who could be assisted by "proxy," in supporting their views of questions before the board. Should this humble but zealous attempt fail in arousing or allaying, members of the community either would be dormant or dissentient. I can but remark, that of all bodies of men, there are none of whom it may be so truly said, that they cast their bread upon the waters of uncertainty, and if the "Planters" do not choose to shew their providence, by uniting in stemming its otherwise almost irresistible torrent, why they have only themselves to thank if they remain upon the shoals and rocks of necessity, difficulty and dependance, for the remainder of their career. A very prolonged existence of the East India Company cannot be reckoned upon. "Coming events cast their shadows before"—it can but be renewed, as I have said, but for the benefit of the few. There is no other interest now to protect, and the previous Elixir Vitæ, with which the old Lady has been resuscitated for the last nine years, cannot be re-obtained from the parliamentary alchemist of the new school, of doctrines, which will be in full zenith when her time is come. Her days now are numbered, and the poor old soul must die a natural death! Poor old lady, indeed, for her last days have been embittered by the twitches of pecuniary embarrassment, which the education and support of her large and numerous family, have entailed upon her estate. Prolific as she has been, her maternal tenderness allowed her to provide, for them beyond her means, and of her former rent-roll, little, alas! remains but her patent of nobility, and this she must sink at last with becoming dignity into the tomb of the "Bye-gones," and though "unwept," certainly not unhonored, for her name must live in the admiration of future nations, so long as a history of British commerce and enterprise, retains a page in the history of the world. Should none of the preceding considerations, be deemed worthy of adoption, extension or alteration, I shall nevertheless be equally happy to see the subject, concocted, compassed, and completed by abler and more experienced hands, and I shall be happy, as an individual, to fall into "the views of the majority be what they may," and make any other concessions of my notions, (that could bring a termination about of this desirable and essential protection) saving and excepting always the opinions I have advanced upon the bearings of the position, that must be occupied by the future Planters of this

country, in all the various hues that I have reflected upon the same, as your obliged and humble correspondent

BLUE LIGHT.

Kishenaghur, April 3, 1801. [Hurkaru, April 10.

To the Editor of the Bengal Hurkaru.

Sir.—In your editorial on my letter of the 8th March, respecting Scotch ploughs, and the mode and manner touched thereon regarding sowing, you observe, "as it is he is quite wrong: no person acquainted with the proper method of sowing, would "bury the seed of any plant." Now, to stay silent on such "soft impeachment," would be only acknowledging that I had been writing on matters I did not understand. To explain, therefore, I must bring to your notice, that the practical method of sowing all over India is to plough and immediately, in the furrow, to broad-cast your seed. On this being done, a long piece of wood, called a *hengah* or *chowkie* is passed over several times crosswise, to smooth down and settle the earth on the seed, properly and sufficiently so as not to allow much evaporation of moisture. In England, or perhaps all over Europe, the method is different, where the "Scotch plough", or any plough as large, cuts up the earth in deep furrows, which is *harrowed*, first, to smooth the surface on which the seed is broadcasted, and then the harrow perhaps used again. This is used, too, principally in the spring months, when the soil is redundant of moisture, left by perhaps a severe winter's knee deep snow, and in which countries the solar rays, after sowing, are not so strong in working on the soil as in this country, which has its sowings generally every month in all seasons. In SCIENCE'S letter, when talking of using Scotch ploughs, he made no mention of harrows likewise, which led me to the supposition that the broad casting would be made, as usual in this country, with the *hengah* or *chowkie* after it, as is now practised; at any rate if he did not mean this, still I think the sowing would be even less likely to succeed, for after the English or Scotch method of sowing, the earth would not be sufficiently settled, and thereby cause a greater evaporation of moisture than now is occasioned; and thereby the chances would be less in favor of the enterprising cultuist. My theory may be all out, but I am a practical man of many years' standing, and would certainly wish to see a better method established and succeed. For the present, my theoretical practice forbids me strongly to adopt the method so well argued by you. Pray try it, Mr. Editor, yourself, and let us have the result. Being a public man, you would do much public good by the experiment. Regarding, too, the rotation of ~~gr.~~ I said the natives did practise it; but as for their knowing any scientific change, such rotation effected on the soil. I don't think they do so. They

• And thus the seed is "buried," by the clod, to shoot up through which, unless assisted by rain moistening and softening the clod, would require exceedingly great vigor on the part of the seed. — ED. HURK.

must, however, have reason for not sowing the same crop on the same land without some intermediate change, which they do not practise. You observe, "thus ground that has produced paddy in the rains, is made to grow wheat, milze, barley or mustard seed in the cold weather." Now, my practical experience has further brought to my notice, that grounds which grow paddy in the rains are all low, chur or inundatable lands—in such case a deposit is annually left on them, and they are by this annually enriched, so can well afford to have the double crop taken from off them which you mention, without being materially, if at all, impoverished. I scarcely think you have ever seen high lands, not liable to either river or rain inundation, produce or require to produce such double crops of paddy and wheat afterwards. They could not, but with fresh irrigation: and it is for such lands I tremble, when I think of having the Scotch plough applied to them. It is not my wish, an unknown individual, to break a lance with you, Mr. Editor: but had I not replied to your soft impeachment, I myself would have felt as if I had written of what I know not. Individually I do, and many others, I have no doubt, do the same, thank you heartily for your promised "best assistance" to the promotion of the object sought to be obtained, which is the Fund for all purposes for the "Indi-Planters' Association," and which to open freely and most promisingly, must be in the first instance a potent fund for all classes of planters, aged and incapable of further work, and for widows and orphans.

Yours obediently,

BURRAH KHOOSH.

Gikazepore, 30th March, 1811.—Hark. April 10.

We are sorry to be at issue again, with our correspondent BURRAH KHOOSH, but our experience respecting the mode of sowing practised in India, leads us to believe that it is somewhat different to what he represents it to be. Instead of broad-casting the seeds into the furrows, immediately after ploughing, and then rolling the clods over them, by means of a long piece of wood, called a *lungth* or *chomkee*, which smashes down the earth and prevents much evaporation, as he says, we have invariably seen the land ploughed across several times, until the clods were all cut up, the largest to the size of a man's fist, or a little bigger. Over this a bamboo ladder, of from four to six feet in length, called a *mohe*, is dragged, by means of ropes attached to each end, to which the cattle are yoked, a man standing on the ladder, to enable it to crush the clods the easier, by the pressure given by his weight; and thus, by going several times over the field, the clods are completely broken up, the field plained, and the grass scattered over the surface, from

whence it is collected and removed, either by the hands of men, or by means of a rake (*cheronsee*) or a light harrow (*bedah*.) Over this plained field, where there is hardly any furrows at all, the seeds are broad-cast, and the *mohe* or ladder is again had recourse to, to press it about three or four inches into the soil. This is the plan we have seen adopted by the natives of the districts, where it has been our fate to reside; and imperfect as it is, it still is far more preferable than that mentioned by our correspondent, of which we were not before aware, and which would induce us to form a much worse opinion of the state of agriculture in India, than we had previously entertained. As for the *hengah* or *chowkee*, we have never heard it mentioned before, though it may be used in the upper provinces, where we never have been. Some such impelment of agriculture, however, we know, exists among the wild Dyak tribes of Borneo, whose method of cultivation is about on a par with the rude one mentioned by our correspondent.

BURRAH KHOOSH is still sceptical respecting the benefits to be derived from the introduction and use of the Scotch plough in this country; and imagines that, by the depth it penetrates into the soil, it would cause the evaporation of too much moisture, and thus diminish the chances of a good crop.

Has our correspondent ever tried the *coppancee* or digging-up system? If he has not, we can tell him, from experience, that though the earth is turned up, by it, to more than three times the depth produced by the native plough, the crop returned is never less than a third more than that which lands prepared with native ploughs yield. This is a fact well known to the generality of planters, and the *coppancee* system is not more widely adopted than it is, merely in consequence of the great expense, delay and labor it imposes. Besides, by the "good old plan," to which our correspondent seems so partial, the seed will, in reality, be afforded a less quantity of moisture, and, therefore, have less chance of germinating freely, than by the method recommended by *SCHEER*. When the earth is, by proper ploughing, nearly pulverized, and slightly pressed down, by the harrow, the immediate action of solar heat is only on the surface of it, and as atmospheric air then penetrates but a very little way into the pulveria, the moisture is not so rapidly drained, as it is when loose clods are pushed over eight furrows, and the rays of the sun act on the clods, and the air, through the apertures, on all parts of them, till they are rendered as hard and dry as a sun-baked brick. Let our correspondent prepare two small patches of earth, the one by scratching slight furrows into it, not deeper than will permit the seeds placed at the bottom to germinate, and then carelessly drawing the clods dug out of those furrows over the apertures; and the other by ploughing to to the depth of two or two and a half feet, and then breaking up the clods into small fragments and returning the earth to the place whence it was dug up, and plaining the surface, slightly pressing it down at the same time. Let him next take a quantity of seeds, and place some at the bottom of the furrows prepared by the first means, and some at the same depth, into the earth prepared by the latter method; and after a given time,

* We will, at all times, be most happy to hear from our correspondent, who must not be discouraged because we differ with him. We are not infallible, and merely advance what we believe to be right, and shall be happy to abandon any opinions we entertain on agricultural operations, on being convinced of our error.—ED HURK.

let him remove the earth from over the seeds in both patches of land, and he will,—by the greater degree of moisture he will find in the earth near the seeds, in the plot prepared by the latter plan,—be convinced of the error he is labouring under, respecting the superiority of the existing system of agriculture, for the soil of India. There is much less chance of seeds vegetating, when placed under a hard-baked clod, which becomes hot enough, during the day, to scorch them, then when put into broken up earth, which, even if it be deprived of moisture, yet serves to screen the seeds from the, withering influence of the sun. The fact, indeed, is, that the moisture exhaled from properly prepared lands, is very little, the sun acting to a depth of only two or three inches, the earth below that depth retaining sufficient moisture to nourish the seeds thrown into it, except in cases of extreme drought, when no system of husbandry, exclusive of artificial irrigation, will avail.

Our correspondent goes on to say, that paddy is all grown on inundatable or low lands, which are subject to annual enrichment, from the deposit left on them by the river, so that they should well afford to grow a double crop. Our correspondent is quite out here again. If he had enquired, he would have learnt, that large quantities of paddy, in all parts of the country, are grown on high lands, not subject to inundation, and that these high land paddy plantations, are called the *ouce* cultivation. It is from the lands where this *ouce dhan* a paddy grows, that the double and treble crops are forced, to the ruin of the soil, and not from the low lands where the *amun dhan* is cultivated, which are seldom made to produce anything else. If we could devote our time to agrarian pursuits, we should certainly resort to the Scotch plough, recommended by our correspondent, to prepare our lands; and we would recommend BURRAH KHOS to do so forthwith; and he may rest assured, that he never will have cause to tremble for the fate of any high lands, which now yield a crop, by the common country mode of cultivation. —*Hurk. April 10.*

To the Editor of the Bengal Hurkaru.

DEAR SIR,—Now to your editorial of the 10th April. My representation, of the mode of sowing practised, is the method which has immediately come under my eyes, although, perhaps, different from that which has met your experience. No one in doubt, that different modes are practised in different zillahs, nay, in different pergunnahs even in the same zillah. I have no doubt of your plan being the one which you have immediately seen practised,—the one I have represented is likewise generally practised in a most fertile district under the Bengal Presidency, were broad casting the seed into the furrows, is the ruling practice. Clods may be rolled over the seed, or may not; but this happens under the practice of a good or indifferent preparer of the soil. The good husbandman does, and will, always prepare, and thoroughly pulverise, his field, by frequent ploughings before the last, when the seed is broad cast into the earth, by which system no remains of clods are left. If any be left, he generally provides

against them by breaking such clods by force of hand, and the assistance of a small batton called a moongrah. I have always understood it to be a direct sign of indifferent preparation of the soil, when clods remain on lands or fields after being sown. These clods, if numerous, are a direct hindrance to the seed spring through, especially when the seed is of a round nature, from the simple reason of the weight of an unbroken clod keeping down the germs, and not admitting it to shew itself above ground. In case of sharp pointed shoots they may take their course out of the earth in a slanting direction. I have, however, seen rich crops yielded from lands, even covered with clods, as large as a man's fist, and a great deal larger; such crops, however, are sharp pointed—*dhan* and wheat. Your plan of the *mohee*, or ladder, I doubt not, is in use in some particular district; and I surmise, in a district redundant of natural moisture, or where seeds are sown on immediate rain; but, Mr. Editor, we want a system to ensure success in case rain-fall as at particular seasons of the year when most wanted, when the original moisture is scarce, and the husbandman is required to do his best with that he has. Do you think that such case the *mohee* or ladder, which it accompanying system will not? I am certainly sceptical on this point, or will the Scotch plough and its accompanying system answer? will in such a season of scarcity of moisture the ploughing into the earth to the depth of two, or two-and-half feet answer think you with success? I shall answer, not; but I will not try the system. The "good old plan," which you observe, I seem so partial to, though I plead not guilty to the impeachment, is a plan practised *in fact*, and which has and will answer, till it is shown by practice by others most advocating the Scotch plough, that this latter is a better system. Writing and talking on such plan, proves not its superiority or its certainty of success; we require facts, Mr. Editor, as proofs, and then we shall mend our ways and follow the better system: till then such method or plan can go under no other name, as far as agriculture in this country is concerned, "than theory." But in this, perhaps, I am mistaken, and your correspondent seems may, I think, let you know whether in his early career in India as a planter, he did or did not use the Scotch plough somewhat modified, in the preparing of his Indigo lands. Should he have done so, perhaps he will let you know the reason of its having been discontinued after, perhaps, a fair trial; and, why such ploughs were thrown on the shelf? I know not who your correspondent seems to be, but have a guess. Perhaps in my hint above I am "altogether out again;" but certain it is, that large ploughs called English ploughs, after English models, were used in some neighbouring districts in indigo factories, remains of which are still extant, and, like old indigo assistants, are left uncared for, because deemed unfit, not from age, not from capability, for working on indigo lands.

The *hengah* and *chomkee* is a very good instrument of its kind, and used in the district where it has been my fate to reside. It is used exactly for the same purpose, which you mention the *mohee* or bamboo ladder is. It is a log of wood, six feet long, six or 10 inches broad, 4 or 5 inches deep,

grooved in a long line underneath on the side immediately passing over the earth—on the extremities there are two men, driving four bullocks yoked to it. Every man considers his own system the more preferable, or the one he has seen practised, or practised himself. Now, Mr. Editor, your plan is a very good one, perhaps—I mean the one you have seen adopted, of using the mohoe or bamboo ladder; but from your description of it I do prefer the one I have been accustomed to, although it may be in existence among the wild Dyak tribes of Borneo, or, mayhap, among the Esquimaux. For the fact of agriculture being practised, as I have described it, which the instrument named, I refer you to science, which I dare say, will vouch that such is the existing system; and, I dare say, he will likewise vouch that he has seen, in his day, most luxuriant crops of all kinds, produced under such a system of indigo too, though people cannot come this latter now. What I wish to impress on you is, not that the ruling system of agriculture in India, whatever it is, is the best, for I am far from thinking so, and will perhaps be the first to change my method on a better system being revealed; but Mr. Editor, my plan is a practical plan, and is in use generally throughout the country; whereas, we are only discussing whether the Scotch plough method would or would not answer better, being as yet mere theory. I have given my *honest reasons and impressions* against it, therefore can't be expected to be the first to alter my system; those advocating the Scotch plough must surely are they who should shew us the way, by their trials, results and consequent success, or otherwise. For this I shall be anxiously waiting, and as I am no bigot, will be, perhaps, the first to be "turned coat." I have seen what you call the "coppa-nee" system tried, but only on a shower of rain, and must say my observations have led me to believe that the return was nothing like so great as when the usual mole adopted had succeeded. In fact, this method is only practised when the other partially fails in the same field, and has been practised even by indigo planters in days gone by, and is now by the old hands. On a shower of rain, seed is sprinkled on the empty or failed parts, and a koorpie or spade used, to dig up the earth and cover the seed: but this is only practised in these parts on a shower of rain. You observe, "the fact indeed is, that the moisture exhaled from properly prepared lands is very little, the sun acting to a depth of only two or three inches, the earth below that depth retaining, &c. &c." Now, Mr. Editor, I think my case is made out by your *own fact*. It has been observed before, that seed should not be thrown in deeper than two or three inches, with any chance of success; even three inches I think too much. Your fact says, that the sun does act to that depth, and, consequently, the moisture is exhaled from that depth. If this be the case, then can seed buried only two or three inches in the earth, with moisture exhaled or taken from the earth at that depth, vegetate? It can't, for want of moisture. If it is thrown at a greater depth where "the earth below that depth retains sufficient moisture to nourish the seed, &c." the seed will indeed vegetate; but I doubt, whether it will make its appearance above ground. What we want, Mr. Editor, is a method to keep in the

moisture in our lands. If this be gained by a constant, or even less so, degree of ploughing and embowelling the earth by a Scotch plough or ploughs, I am, indeed, "all out;" but I must stick to the "good old plan," till others prove I am all out by something more than theory. Let the agriculturists who speak or think favorably of Scotch ploughs, give it a fair and most decided trial, and I shall be most happy to hear of this successful trial through your columns. Then, Mr. Editor, wont there be such laughing at me! Yes, and I shall laugh, too, in knowing a more successful method of agriculture has been introduced. My observations have led me to say, "and leads me again to do so, that all low, chur and inundatable lands, as far as I have seen, yield a double crop of paddy first, and then a wheat crop after, the land in such case being renovated by fresh deposits. Grounds there are too of such a nature, that though not altogether chur, or inundatable by rivers, still they are low and strong stiff soils. These give a paddy crop first, but no second wheat crop can be taken from them in succession, unless by artificial irrigation. This, I believe, was my argument on this point in my former letter. Had we more of manure in our land, or could procure it cheaply, it would tend more to the advantage of agriculture than a change of ploughs. But, Mr. Editor, we are all abroad you have enticed me into a long argument about ploughs, ploughing, seed, broad castings, &c. Such was not my drift when I wrote you first. I want to hear more about the Indigo Planters Association. I want Planters to be united in their Association. I want them to have a fund for widows, orphans and superannuated planters, as well for themselves as individually for myself. You have promised your best support in, I fancy, advocating his cause: then, Sir, take it in hand—do, in justice, to people blind and deaf, in your best manner. To the though an absent planter, I beg to propose, that a motion be made, in the next Indigo Planters' Association Meeting, that a vote of thanks be presented to your correspondent BLUE LIGHT, for the able manner in which he has handled the affair, ament the fund. I know not the writer, but he has my respect for the way in which he has come forward. Agitation must bring into effect what apathy holds back now, and such correspondents as BLUE LIGHT, are indeed as light to the benighted. You have promised to revert to BLUE LIGHT's letter, Mr. Editor—Your doing so, you may be assured, will make many others as well as myself

BURRAH KHOOSH.

Ghazecpore, April 19, 1841.

Hurkaru, April 30.

Our correspondent, BURRAH KHOOSH, is as determined an antagonist as was Witherington of old,

Who, when his legs were smitten off,
Still fought upon his stumps,

and has come at us once more, with an affair a colump in length, but as ineffective as his former articles were, for he is "all abroad" again, as we shall presently show.

Our correspondent sets out with giving a very different description of the mode of agriculture he advocates, to what he did in his letter of the 30th of March, and instead of saying that the practical method of sowing ALL OVER INDIA is to merely plough the land, and immediately broad casting the seed into the furrows, draw down and settle the earth over it, with a huge block of wood, bearing the euphonous title of a *hengah*, he now informs us, that the mode of cultivation differs in different zillahs, and even pergunnahs, of the same village; that clods may or may not be rolled over the seed, as the husbandman is more or less careful in *pulverizing* the earth, by frequent *ploughing*, and that he finally completely levels the ploughed field, by breaking up any clods that might remain, with a batten, and then, casting the seed on it, passes the *hengah* over all, to settle the earth and cover the seed. If this be the case, where are the furrows found, into which our correspondent states that the seed is cast, and then covered up by means of the *hengah* - the error of doing which we have pointed out? How the land, however, can be pulverized with the plough only, we are at a loss to know; for after the clods have been reduced to about the size of a man's fist, their specific gravity cannot offer sufficient resistance to the progress of the ploughshare, to be broken up further. As for the progress of breaking up the remaining clods with a mallet, it is a tedious and expensive process, occupying a great deal more time and labor than would be necessary, if a proper method of agriculture were resorted to. Our correspondent, however, now describes the lands, in the district where he is, to be, when prepared, with the exception of being uncleared of grass, in the same condition as we represented the lands in Bengal were, when ready for the seed; only his is by far the worst method of producing the same end. The *mohe*, to which he objects, answers the treble purpose of breaking the clods, levelling the field, and scattering the grass upon the surface, whence it is easily removed; while the *hengah* or block of wood, must, necessarily, jam down the soil and grass together. The *mohe*, which is made of a bamboo split in two pieces, the concavities turned outwards, brings an edge to act upon the clod, a part of which being caught in the hollow of the bamboo, while the other part is pressed upon by its lower edge, it is easily crushed, by the weight of the man on the *mohe*, and passes under the first part of the ladder. The grass then, being elastic, on being released from the earth, springs up above it, between the parts of the ladder, and thus, when the after limb of the machine comes into action, it still further crushes the earth, but carries off the grass, the lightness of which prevents its being forced under the second limb, as the earth is. The grass is, after being thus gathered between the two parts, thrown out, over the after bamboo, as the space in which it is gathered fills, and may then easily be collected and removed. Thus is the ground quickly and properly prepared, as the *mohe* or ladder is dragged rapidly over it, without the application of the *hengah* or *moongrah* being required. We have, on a small scale, tried our correspondent's favourite *hengah*, since he last addressed us, and pronounce it to be infinitely less useful than the *mohe*, which, if our correspondent will try, instead of arguing against,

he will find to be by far the better implement of husbandry. Our perambulations in this country being confined to a circle of about a hundred miles, having Calcutta for its centre, we cannot speak from experience of the mode of culture in use in the Upper Provinces; but we are sure that if any kind of crop at all is returned by the barbarous method of scraping the soil, described by BURRAH KHOOSH as the existing system, in the higher provinces, a far richer one would be yielded if even the method in use in the lower provinces of Bengal were substituted for it. We have not, we confess, as yet, experimented with the Scotch plough, but we have seen the most beneficial results accrue from the common native plough being driven twice the usual depth into the soil, both on high and dry, as well as low moist lands, and are, therefore, justified in maintaining, that the Scotch plough must be a better implement of husbandry, even for this country, than the little Bengally mud-scraper or scraper now used as a plough. Indeed, our correspondent unwittingly argues in favor of this doctrine, of the benefit to be derived from deep ploughing, for he says, that when the common method of ploughing fails, the *ropunnee* or digging up plan, by which the earth is turned up to about, or little more than, the depth the Scotch plough would penetrate, is resorted to, to obtain a crop. But our correspondent adds, that it is only had recourse to after a shower of rain. This we distinctly deny; for we have only seen it adopted when no rain had fallen, and the slight scratching of the native plough could not penetrate to a sufficient depth to reach and turn up soil sufficiently moist to cause germination. The plan of digging surely would not be resorted to after rain had fallen, as it is far more expensive and dilatory than re-ploughing would be; but it is only used, as we have said, in the absence of efficient ploughs, to raise a crop where there is no hope of obtaining one by means of the native ploughs.

Our correspondent has found a mare's nest, and things that the argument we have adduced tells against our own theory. He says, that as we have maintained that seed forced more than two or three inches into the soil will hardly ever vegetate, and as we have also contended, that the sun acts to the depth of two or three inches on the soil prepared according to the method we recommend, that our argument bears against ourselves and proves, what our correspondent has asserted, viz, that deep ploughing denudes the soil of moisture to the depth at which the seed is deposited, and consequently prevents it from causing germination. Slowly over the stones, if you please, BURRAH KHOOSH, and don't jump to conclusions so rapidly. Solar heat, it is true, acts to the depth of two or three inches, but the effect of such action is

Small by degrees, and beautifully less,—

and, therefore, there is sufficient moisture, round the site of the seed, to cause it to vegetate, and after germination, the roots easily penetrate into a soft, well moistened bed, which BURRAH KHOOSH's plan of cultivation can not afford it. How, in the name of common sense, can seed sown an inch under ground, in ground ploughed four inches deep, be protected from solar heat, if seed sowed three inches deep in ground ploughed two

feet deep, is affected and destroyed by it? Yet our correspondent, obviously a man of considerable intelligence, maintains that such must be the case! The moisture must be exhaled more in one way than in the other, say BURRAH KROOSH. Why so? we ask. Let him assign a good reason, as we have done for the opinions we have advanced, and he will find us open to conviction. The *sic volo, sic jubeo, sicut prout ratione volentes* principle will not pass current with us. The only parching action that we are aware of, is that of the sun from the surface downwards,—and such action must, as we have previously shown, affect the seed sown according to our correspondent's method, more than that sown properly. We have yet to learn, that there is a sub-action, from the unbroken ground upwards.

Our correspondent goes on to say, that he has observed, that "all low, chur and inundatable land," as far as he has seen of them, yield "a double crop of paddy first, and then a crop of wheat." Gently, again, if you please, BURRAH KROOSH, or you will surely hurt your toes against the pebbles. What, two crops of paddy and one of wheat, from the same ground, in one year! Surely our correspondent has been guilty of a *lapsus penne* in editing this sentence. A crop of paddy takes six months and more to grow and ripen; two crops would occupy the entire year: by what *hocuss-pocuss* then, is the wheat crop, which would take four months more to arrive at maturity, to be made to grow on the same land within the year? Perhaps our correspondent will explain.

We shall be glad, indeed, if our correspondent, *SENAPATI*, will give us his opinion on the subject at issue, as well as answer BURRAH KROOSH's query. We ourselves have been informed, that the English ploughs, which were long since tried at Kishnaghur, were abandoned because

The monster Custom, who all sense doth eat,

had taken too strong possession of the minds of the native ploughmen; they could not, consequently, be induced to work with the new ploughs, and took every opportunity of breaking or otherwise injuring them. We are not aware of any other reason for which they were abandoned. We feel confident of their fully succeeding, if now tried, when the minds of the natives are more enlightened, and we have a hope of soon finding, among them,

Antiquity forgot, custom not known;
As ratifiers and props of every word.

In conclusion, of this agricultural discussion, let us inform our correspondent, that he labors under an erroneous impression, in thinking that our arguments are based on mere theory. We have been practical agriculturists

From our green youth, unto a ripe old age,—perhaps for a longer period than BURRAH KROOSH has been engaged in agrarian pursuits, and have founded our theory upon experience, and merely endeavoured to prove in words that our arguments deduced, mainly from actual observation, were but compatible with common sense. We shall, shortly, on a small scale, use the Scotch

plough, and let our correspondent know the result of our experiments with it. Let him likewise try, on a similar scale, the method of agriculture we have recommended, and abandon it if it does not answer. He cannot loose much by such an experiment.

Our correspondent further calls upon us to take in hand the cause of the Indigo Planters, in reference to the respective plans for a Fund for the promotion of the general and permanent interests of the whole body of Planters, collectively and individually. It can fall within our peculiar province to do little more than to enact the part of *Æsop*, and read the collective body a lesson from the book of fables, inculcating the indelustrable principle that union is strength. For although this principle be universally admitted as a sound and wholesome maxim, yet its proper and practical application is very little understood.

Nay, in some instances, and we are apprehensive that the body of Indigo Planters furnish one example, the very maxim that unity is strength, is acted upon by the several branches separately, to the common detriment and weakness of the whole collectively. But this principle, to be acted upon beneficially, must be acted upon, *on the large*, and not on any contracted and selfish plan. A body of "agents" must not meet together round a board of mahogany, and adopt the maxim that unity is strength as against the managers of the factory—nor, again, must a body of planters adopt the maxim as against the body of assistants. The operation of the principle will, no doubt, still hold true, in such cases, but it will also exemplify the natural consequences, of a house divided against itself—in which case, of course, the stronger be the principle of union adopted by the contending parties, the more fatal must be the result to the whole. It has been our endeavour, therefore, to illustrate our correspondent *BLISS LIGHT*'s letter in the best way we deemed it capable of illustration, by shewing that the agent, the proprietor, the manager and the humblest assistant, would find one common interest in making one common cause. This is the great principle of union that we would wish to inculcate, and have done our best to inculcate, leaving, hitherto, the details of plans, for the promotion of the general object, to be canvassed by the parties more intimately and interestedly connected with the subject, the indigo planters themselves. Upon those plans, when matured and organized, we shall be happy to offer our suggestions—in the mean time, we express our opinion on the general principle, which we hope we have made intelligible.—*Hurkaru, April 15.*

To the Editor of the Bengal Hurkaru.

SIR,—I, some time since, attempted to call public attention to the subject of agriculture in India, and endeavoured to point out the advantages which could not fail to result from a well conducted experiment, as well to the parties engaged in the enterprise as to the general interests of India. I was in hopes that my humble suggestions might have drawn men of weight and ability into an attentive consideration of this most important question; for, inadequate as I may be to the task of elucidating the various points of the

subject, with the force of language necessary to awaken the minds of the 'unthinking to a sense of its vast importance, yet, it must be admitted by all, that the agriculture of a country is one of the most, if not the most, important questions which can occupy the attention of its government. Whether from a jealousy of European settlers on the part of the East India Company, or from other causes, true it is, that at this advanced period of British rule, the agriculture of India rests where it did a hundred years ago. The directing hand of government is visible only in arrangements for facilitating the collection of revenue. The rest is without protection and without encouragement. The ground is still tilled by the rudest implements, even under European superintendence, and estates possessing capabilities of the first order, are being comparatively "waste," consequently offering one of the finest fields in the world for the profitable investment of capital, were the farming skill of Britain brought to bear on their future improvement. My letter was followed up by one from a Gazeepore correspondent; but while I concur with him in his general views, and much of his reasoning, I differ from him, as you do, Mr. Editor, in his notion of Scotch ploughs. In doubting the fitness of the Scotch plough for use in this country, BURNAN KNOOS should have pointed out the reason why the Scotch plough, which has been found to surpass most, if not all others in Britain, is objectionable in India, for it would be as injurious in the one country as in the other, to remove to the surface the inert earth and bury the active soil out of reach of the roots of the plant. The Scotch plough does not turn the slices both upwards, but lays them one on the other in a sloping position, the edge of each slice consisting of surface earth being uppermost, while at the same time the lower earth is loosened, rendered more fit for the reception of roots, and in part exposed to the air, and thereby gradually converted into a fertile soil. The lower stratum is frequently more fertile than the surface soil, thus we frequently see plants growing on an upper stratum, of sand, Languish until the roots penetrate to the sub-soil, and then shoot out most vigorously. In England, the plan is to correct what is deficient in one soil by an admixture of other soil, having the required property in excess, and this improvement can frequently be effected by merely mixing the upper and lower strata, clay and sand for instance, or moss and sand; the capacity for retaining moisture is thus improved, and the too adhesive clay converted into a state of infinite division by the friable nature of sand. During the first period of germination, the plant of course depends on the surface soil for its nourishment, and certain plants, which root laterally, may not be benefited by the loosening of the sub-soil—in fact some plants may be improved by a stratum of paving stones. Not so with plants whose roots strike deep into the earth. For their vigorous support the sub-soil must either be naturally of a very loose texture or rendered so by artificial means. Perhaps our Gazeepore friend mistakes the Scotch plough for some other, for if necessary it can be made to work at a depth of three or four inches. The only reasonable objection to the use of the Scotch plough in India, which I have heard advanced is, that the large slices which it turns over, harden in the sun and obstruct further operations; but it is evident that even this is not a valid objection, being entirely owing to the want of that excellent implement which ought to follow it, viz., a good heavy harrow. I readily admit what BURNAN KNOOS states, that the Indian plough does its work well. So might a very industrious person manage to put the 19th of an acre into excellent order, in the course of a season, with the small weeding implement here called a koorpee; but look at the loss of time and labour and the large quantity which might be put under equally good cultivation by a superior implement from what BURNAN KNOOS states. About turning the soil too deep, it would appear as if he thought the soil was dropped into the furrow made by the Scotch plough, whereas it is scattered on the very top and covered afterwards, merely by the action of the harrow. A plough, to do its work effectually, must be scientifically constructed. It must move evenly on its sole, without any exertion on the part of the ploughman, and from the point of the share to the heel of the mould-board, must be formed so as to offer the least possible resistance in its double action of cutting through the soil and turning over the slice. Unless this principle of construction is attended to, the lightness of the plough avails nothing. It will knock up cattle, do no good, and disgust those who try the experiment and have not sense enough to see the cause of failure. One great reason why the Scotch plough has not already been more generally adopted in India, is the existence of that presumptuous feeling as to outlay, for the sake of remote advantage, which governs bad and slovenly farmers every where else. Instead of purchasing select cattle fit for his work, at a corresponding price, and feeding them, he looks to numbers, half starves them, loses a fourth every year, and gets only half work from the remainder. It is exactly the same spirit which induces a man to overstock his farm with sheep, and never have any fit for market, or which deprives a man of the heart to thin his turnip fields, although he knows, as well as every body else, that one good one is better than half a dozen bad ones. In my former letter, I propounded a scheme, whereby to unite those connected with indigo planting by the bond of common advantage. I am not in a position to move personally in the matter, but I recommend it to the attentive consideration of the gentlemen, who seem so much at a loss how to progress with the business of the association; for, verily, beyond the Secretary's being something out of pocket at the closing of last year's accounts, and the report of a quantity of champagne having been consumed, in drinking loyal toasts, with a corresponding indulgence in the right English propensity of eating beef, we know nothing. Government has the power, in various ways, of promoting agricultural improvement, but most effectually by framing such rules for the management of estates, governing the relations of proprietors and ryots, as may have an object, beyond the present one of screwing the revenue out of a wretched tenantry; for on whomsoever the burthen is originally imposed, it descends on the head of the devoted ryots. Each according to his station and power, hands down the burthen to the next, in degree, until it reaches the miserable being who is too poor and powerless to resist, to whom justice is a

1st Heat won by a nose.
2d Heat won by a neck.
3d Heat won by about 1½ length.

Bombay Times, Jan. 27.]

FIFTH DAY, WEDNESDAY, 20TH JAN. 1841.

1st Race Holkar's Cup value 1000 rupees, for all Horses weight 8st 7lbs. Country 9st 7lbs. Stud bred, 10st 7lbs. and Cape 11st. Two mile Heats, and 100 entrance, two horses or no race, to be bona fide not the property of confederates.

Mr Amherst's	G A H Mameluke, 8st 7lbs green and white stripes,....	2 3
„ Young's	G A G Hector, 8st 7lbs red and blue, 4 4	
„ Alfred's	G A G All my Eye, 8st 7lbs dark body and sky blue,..	3 2
Major Robert's	C A H Tartar, 8st 7lbs sky blue,	1 1

Both Heats won easy.

Time,—1st Heat,—4m 2s. Time,—2d Heat,—4m 7s.

2d Race A Purse of rupees 200, for all Arab Gallows 13st 3lbs and under, rupees 50 each subscriber. Heats one mile and a half, weight 8st.

Mr Thomas'	G A G Tittlebat, 8st pale blue,	2 2
Major Robert's	G A G Destiny, 8st sky blue,	1 1

Won easy.

Time,—1st Heat,—3m 6½s. Time,—2d Heat,—3m 8s.

LAST DAY, FRIDAY, 22D JANUARY, 1841.

1st Race—Forced Handicap of rupees 150 from the Fund for which all winners must enter. H F 50 rupees each subscriber with the exception of Ponies, Hacks and Chargers. Once round the course.

Major Robert's	C A H Tartar, 9st 12lbs sky blue, Drawn	
Mr Amherst's	G A H Mameluke, 9st 5lbs green and white stripes,	
Mr Young's	G A G Hector, 8st 7lbs red and blue, 4	
Major Robert's	G A G Destiny, 8st 5lbs sky blue,	1
Mr Young's	B A H Regulator, 8st 5lbs Drawn 3	
Mr Alfred's	G A G All my Eye, 8st 7lbs dark body 2	

sky bluesleeve,

Won by three quarters of a length.

Time,—3m 8s.

2d Race—The Beaten Plate for all Arab Horses that have not won during the Meeting, from the Fund 150 Rupees, from the Fund, 15 each subscriber. Mile heats.

Mr Alfred's	G A H Comet, 8st 8lbs black and white sleeves,	
Mr Thomas's	G A G Tittlebat, 8st 5lbs pale blue.	

Walked over.

3rd Race—Hurdle Race for all Horses once round the Course 10st 7lb G R four Hurdles, 3 feet high, 100 Rupees from the Fund, 15 each subscriber.

Mr Ward's	B G B Blue Ruin, 10st 7lbs sky blue 2	
Mr Young's	B A H Jacob Faithful, 10st 7lbs red and blue,	1
Mr Simpson, names		
Mr Jones,	B A H Tonjan, 10st 7lbs dark body sky blue sleeves,	3

No time taken.

Agre Ukhbar, Jan. 30]

MOZUFFERPORE RACES FOR 1841.

COMMENCED ON THE 5TH OF JANUARY, 1841.
FIRST DAY.

First Race.—Purse of 10 gold mohurs added to a Sweepstakes of 2 gold mohurs for all horses used bona fide for factory work that have never won before the meeting. Heats 1½ miles, 11st 7lbs. Gentlemen riders.

Mr. Studd's	dun g. Farmer John, 11st 4lbs (Mr. Studd 1 0
Mr. Cloud's	ch c b m Migs Cliff, 11st 4lbs..... 2 dr.

The dun had it pretty nearly his own way all round and won as he liked---Time 2m 42s.

Second Race.—Purses of 5 gold mohurs for all untrained carriage and buggy cattle, entrance 1 gold mohur ¾ mile 8st 3lbs each.

Mr. Cloud's	g c b m Victoria, 8st 4lbs (Julian)..... 1
Mr. Little's	ch c b m Jingle, 8st 4lbs..... 2

Time 1m. 31s. Jingle had no chance.

Third Race.—Purse of 15 gold mohurs for Maiden country bred. Round the course, entrance 7 gold mohurs, weight for age.

2 years old	a feather	5 years old	8st 9lbs
3 years	—7st 3lbs	6 years and	
4 years	—8st 3lbs	aged	8st 12lbs

Mr Cloud's	ch c b m Mopoa 3 years old	8st 6lbs.. 1 0
Mr Grey's	b c b m Moscheto, aged 9st..	2 dr.

Time 8m 1s Mopoa made the running, and won easy, Moscheto no where. For the 2d heat Moscheto was drawn.

Fourth Race—Purse of 15 gold mohurs for Maiden Arabs.

Heats R C entrance 10 gold mohurs, 8st 7lbs each.

Mr Grey's	b a h Tharrawaddy 8st 7lbs (Julien) 2 1
Mr Fitzpatrick	g a h Will o' the Wisp, 8st 7lbs 1 2
Mr Thompson's	g a h Secunder, 8st 7lbs... 3 3 dr

Time 1st heat—3m 4s. Secunder went away, the Cory not being able to hold him, but was beat off at the mile post, a splendid race between Will o' the Wisp and Tharrawaddy, ending in the former winning by near a length, both at the whip.

2d heat—Time 8m 3s Will o' the Wisp went off at score. Tharrawaddy on his quarter in the form; they went to the half mile from home, when the King of Ava made play and won by half a length, with plenty of punishment.

3d heat—Time 3m 10s Secunder drawn, he won only half trained---Will o' the Wisp waited, but too far behind and thus lost his chance, he began closing at the half mile from home, but could not catch Tharrawaddy, though he run well up, and was beaten by little more than a length---Englishman, Jan. 14.

SECOND DAY.

First Race.—A Silver Tankard, value 250 rupees for all horses, 1 mile heats. Entrance 50 rupees, 11st 7lbs. Gentlemen Riders. The winner to be sold for 500 rupees if claimed within ½ of an hour after the race.

Mr. Grey's	b a h Span, 11st 7lb (Mr Herbert) 1 1
Mr Cloud's	g c b m Victoria, 11st 4lbs..... 2 2

1st heat—Time—3m 8s. Victoria went away to the half mile from home, when Span caught her and won

by a couple of lengths after a good race. Victoria's chance being much lessened by her rider, having carried away his stirrup.

2d heat—Time—2m 6s. Span made the running and cut down the mare and won by 2 or 3 lengths.

Second Race.—Purse of 5 gold mohurs for all untrained horses. Entrance 2 gold mohurs, $\frac{1}{2}$ mile heats. Gentlemen Riders, 11st 4lbs.

Mr. Cloud's b c h m Floriana, 11st 4lb (Mr Herbert)..... 1 0
Mr Stud's dung Farmer John, 11st 1lb..... 2 dr

Time—1m 1s. A capital race to the distance post, when Floriana showed in front, and won by a length, both at the whip, for the second heat. Farmer John, was drawn.

Third Race.—The Planter's Subscription Cup, value for all horses, Lancer Cup, weights $2\frac{1}{2}$ miles, 10 gold mohurs, entrance, to close and nominate the day before the meeting, and 5 gold mohurs forfeit if declared the day before the race. The winner to be sold for 1200 rupees if claimed within $\frac{1}{2}$ of an hour after the race.

Mr. Stane's g a h Sinbad, 8st 4lbs..... 1
Mr. Grey's g c b m Haidee, 8st 7lbs..... 2
Mr Fitzpatrick's bl a h Jim Crow, 5st 7lbs..... bolted

Time—5m 27s Haidee was of any thing the favourite for this race. A capital start, Sinbad and Jim Crow leading to the $\frac{1}{2}$ mile post, when the latter halted. Opposite the stand Sinbad and Haidee been well together, when Sinbad quickened his pace and beat off Haidee at the $1\frac{1}{2}$ mile post and won with great ease.

Fourth Race.—The fair Sweepstakes of 3 gold mohurs added from the fund, for all Country-bred horses purchased bona fide from native dealers at the Souppore Fair of 1840, weight for age, $1\frac{1}{2}$ mile heats. Horses branded with the Sind marks, or docked before the time of purchase to be barred. Weights the same as those in the Maiden C B Race.

Mr. Cloud's ch c b m Dorothy Draggettails 8st 9lbs 1 1
Mr. Peter's g c b m Crucifix, 8st..... 2 2

Time—1st heat—3m 50s. A capital race to the distance post when the stride began to tell and Dorothy came in winner by 3 lengths.

2d heat—Time—3m 56s. The same as the last, Dorothy winning easy.

THIRD DAY.

First Race.—The Cheroot Stakes of 10 gold mohurs for all untrained horses. Entrance 2 gold mohurs $\frac{1}{2}$ mile heats. Catch weights. Gentlemen Riders. The last horses to pay the entrance of the 2d. No horse to win the race unless the rider bring his cheroot alight to the scale. Should any riders cheroot go out, or be dropped, he well be distanced.

Mr. Cloud's g c b m Victoria, (Mr. C—d) ... 1
Mr. Stud's b c b m Begum..... 2 dr

Time—1m. Begum had no chance with Victoria won very easy.

Second Race.—Ladies and Bachelors' Purse of 20 gold mohurs for all Country-breds and Arab horses Entrance 5 gold mohurs. Arabs allowed 5lbs, Maidens allowed 3lbs, the winner of the maiden Country-breds and Arab Purses, and the Planter's Cup not entitled to the latter allowance. Heats $1\frac{1}{2}$ miles, weight for age. The winner liable to be sold for 1000 rupees if claimed within $\frac{1}{2}$ of an hour after the race.

2 years a feather.

3 — 7st 7lbs.

4 — 8st 5lbs.

5 years—8st 13lbs.

6 and aged 9st 3lbs.

Mr. Grey's b a h Span, 8st 12lbs..... 1
Mr. Cloud's ch c b m Mopsa, 8st 9lbs..... 2 dr

Time—3m 40s—A good start, but Span had it hollow from the stand and won very easy, (on the 2d heat Mopsa was drawn.)

Third Race.—Purse of 3 gold mohurs, for all untrained Horses. Heats $\frac{1}{2}$ mile 12 stone. Gentlemen Riders. Entrance 8 Rupees. Riders not to dismount till all the heats are run out—5 minutes allowed between the heats. Mr. Blowhard's g g Bob, 11st 11lbs owner..... 1 1
Mr. William's I wish you may get it..... 2 3
Mr. Stud's Farmer John..... 3 2
Mr. Edward's Floriano.

Mr. Wrong's Sir Robert's Squeak.

Mr. Speck's Shove her along.

Time—1st heat 28 seconds. A splendid race between the three 1st. Bob winning by a nose. Shove her along, required more shoving and refused to start.

Time—2d heat—30 seconds. No end of false starts when they did get away a regular case of hammer and tongs from the starting post—this heat ending like the 1st.

Fourth Race.—Purse of 10 G. Ms. for all C. B. Horses, weight for age and inches 11 hands, to carry 8st. 7lbs. $1\frac{1}{2}$ miles. Entrance 5 G. Ms.

2 years a feather.

3 — 7st. 3lbs.

4 — 8st 2lbs.

5 years 8st. 10lbs.

6 and aged 9st.

Grey's g c h m Haidee walked over.

FOURTH DAY.

First Race.—Forced Handicap of 5 gold mohurs each with 10 gold mohurs added from the fund, for which all winners of public money must enter: except the winners of the Factory, untrained, and Fair Sweepstakes Purses, with whom it will be optional. To be handicapped by the Stewards, R C and a distance. Horses not standing the handicap to forfeit 3 gold mohurs.

Mr. Stone's g a h Sinbad, 8st 12lbs..... 1
Mr. Grey's .. b a h Span, 8st 8lbs..... 2
..... g c b m Haidee, 8st 8lbs..... 3
..... ch c b m Mopsa, 7st 6lbs paid forfeit
..... b a h Tharrawaddy, 7st 4lbs paid forfeit.

Time—3m 69s Haidee beat off early in the race—Span run up very honestly, but Sinbad was too much for him.

Second Race.—A Forced Handicap for all horses that have run of the untrained Purses, 5 gold mohurs given for the fund. Entrance 8 rupees, half mile heats—2 gold mohurs forfeit for those that do not stand—to be remitted, if it be proved to the satisfaction of the Stewards that the horse is not able to start.

Mr. Cloud's .. g c b m Victoria, 12st 7lbs (Mr Herbert) .. 1
Mr. William's .. b c b g I wish ye May get it, 8st .. 2 dr
Mr. Blowhard's g c b g Bob, 10st 12lbs..... 3 dr
Mr. Edward's b c b m Floriana, 11st 3lbs..... 4 dr

Bob, Squeak, Begum, Farmer John, and Shove her along paid forfeit.

1st Heat—Time—1m won easy, for the 2d heat all drawn.

Third Race—Purse of 5 gold mohurs for all C B ponies weight for inches, 13 hands, to carry 8st 7lbs. Pony height to be 13 hands 2 inches, 3 mile heats. Maiden allowed 7lbs.

Mr Clond's ch a b p Dart.....	1 1
Mr Herbert's ch e b p Virginia	2 2
Mr Studd's g c b h Queen of Tramps	3 dr
Mr Bamtons's ch e b p Moses	4 3
Mr O'Malley's g h Captain	5 dr

1st heat—Time—1m 40s—A good race, the first three well together.

2d heat—Time—1m 35s. Virginia could not catch Dart and was beaten by two lengths.

Fourth Race—Purse of 10 gold mohurs for all beaten horses, to be handicapped by the Stewards. R. C and a distance. Entrance 5 gold mohurs.

Mr FitzPatrick's g a h Will o' the Wisp, 8st 7lbs.	1
Mr Thompson's g a h Secunder, 7st 12lbs	2

Time 3m 24s. a beautiful race to the 1 mile post when Will o' the Wisp showed in front—and won rather easy.

Match R. C. for 13 gold mohurs, 11st. 7lbs. each.	
Mr. H's..... b a h Mishap (Mr. Herbert),.....	1
Mr. Studd's dun g Farmer John.....	2

Farmer John ran sulky and lost his chance.

Match for 15 gold mohurs 10st. 11lbs. R. C. ran on the 2d day.

Mr. Grey's h a h Tharrawaddy, (Mr. Studd.).....	1
Mr. Thompson's g a h Secunder.....	2

Tharrawaddy made the running. Secunder who waited let him get too far ahead, and could not recover the dis-

To account for the bad timing, it should be mentioned that there was an error in the measurement of the course of 83 yards in every half mile.—*Englishman*.

MADRAS SPRING MEETING, 1843.

First Day—Monday, 11th January.

FIRST RACE.—A Subscription Purse of Rupees 60' each, P. P. with six hundred Rupees from the Fund for Maiden Arab Horses. Heats two furlongs, carrying 8st 4lbs closed on the 1st Sept.—4 Subscribers.

Mr. Smollett's. BK. A. H. Caliban,	dr.
Mr. Haller's. B. A. H. Toddlers, .. G. Smith, ..	2 2
Mr. Fox's. B. A. H. Pathfinder, W. Martin, ..	1
Mr. Taylor's. B. A. H. Spring, .. Zein, ..	3
Time—58--2 .. 1--3 .. 5--4 .. 3	
1--2 .. 0--3 .. 1--4 .. 1	

SECOND RACE.—5th Renewal of the Great Madras Welter, 10 Gold Mohurs each, P. P. with 50 Gold Mohurs from the Fund, for all Arab Horses that have never won—1st 7lbs each, one mile and a half and a distance. Gentlemen Riders. To close and name to the Secretary at 12 o'clock the day before the Race.

Mr. Fox's. G. A. H. Glengour, .. Mr. Woodgate, ..	1
Mr. Smollett's. B. A. H. Cymic, ..	dr.
Ditto, BK. A. H. Caliban, .. Mr. Bruere, ..	4

Mr. Haller's. B. A. H. Mark, .. Mr. Owen, ..	3
Ditto, B. A. H. Toddlers, ..	dr.
Mr. Thornhill's. G. A. H. Hawk Hurst, (late Wood- leys) owner, ..	3
Time—dr. 194--4 .. 1--2 .. 5--3 .. 27	

THIRD RACE.—His Highness the Nizam's Purse 100, entrance 200 Rupees, H. F. to close and name on the 15th December, 1840—Arabs 9st Cape, New South Wales and Country bred to carry 10lbs and English Horses 8st extra, Heats R. C.

Mr. Smollett's. W. A. H. Farnought, .. G. Smith, ..	2 2
Mr. Taylor's. BK. A. H. Hazard, .. Zein, ..	4 3
Fox's. B. O. U. The Lancer, (late Billy), C. Price, ..	3 dr.
Mr. Thornhill's. B. E. H. Darfour, .. Owner, ..	1 1
Mr. Bunce's. G. A. H. Deception, (late New- light) ..	5 4

Time..... 2 .. 50--3 .. 2

(From a Correspondent.)

Once more have we been gratified by seeing the plumed and silken jacket on our beautiful Course, and the full attendance of loveliness in the stand on Monday vined the interest taken in the national sport of Race.

The stud of Mr. Fox as usual was at odds against the field, and well were the backers carried through. The ordinary was well attended, though we regretted the absence of the head of the Turf himself in consequence of temporary indisposition. Pathfinder sold for 14, spring for 9 and Toddlers for 6 in the Lotteries.

The race came off as follows:

Mr. Fox's. B. A. H. Pathfinder, .. cerulean (Matin), ..	1 1
Mr. Haller's. B. A. H. Toddlers, .. crimson ..	with
white sleeves, ..	2 2
Mr. Taylor's. G. A. H. Spring do .. do ..	3 3
Mr. Smollett's. BK. A. H. Caliban, ..	drawn.

Pathfinder led off in 58m. Toddlers so called on the locus a non lucendo principle, being a long striding lashing going horse, hanging on his quarter, but pulling back after passing the stand and allowing the grey to collar the Colt. This he was only able to do for 14 mile, when Toddlers went up and the pace mended. It was a very pretty race to the distance, when Toddlers being out, paced was pulled up and Pathfinder ran in easy in 4m. 3a. Second heat Pathfinder off again at a steady pace. It was evident Toddlers had no intention of leaving any of the work to the grey this time, for he went up to Pathfinder just before the monument and the 2 rated it so truly stride for stride for a mile that they appeared to be but one horse the 13 miles in 3 minutes. It was a race, till within the distance, when Pathfinder shewed a decided lead, came away and won by a length in 4m. 1s. Both horses were short of work, particularly Toddlers and he running proved what 2 really blood horses can do, when called upon.

The second race was the Welter 11m. 7s. gentlemen up. Glengour rather the favorite.

Mr. Fox's. G. A. H. Glengour cerulean, ..	1
Mr. Haller's. B. A. H. Mark crimson, ..	2
Mr. Thornhill's. G. A. H. Hawk Hurst orange and black, ..	3
Mr. Smollett's. B. A. H. Caliban, .. black, ..	4

Glengour and Hawk Hurst went away steadily, the other 2 lying behind; at the back of the course, Mark crept up and the black felt that he had had enough of it. Glengour kept on at an even pace, Mark on his quarter. At the distance Mark's rider came a Chiffney rush made a race of it but was beaten on the post by a length. It was a true run race, though not very fast, the last mile and a half in 2m. 7 1/2.

Out of the numerous entrances for the Nabob's Five came to the post English horses 1st, Cape 9st. 10lbs., Arab 9st.

Mr Thornhill's .. s e g Darfour .. orange & black (owner) 1
Mr Smollett's .. g a h Fearnought black..... 2
Mr Fox's Cape .. s h h The Lancet (late Billy) .. cerulean 3
Mr Taylor's .. s l a h Hazard .. crimson 4
Mr Bunce's .. g a h Deception (late New-light) green and gold.. 5

First heat Mr Bunce off at score, in 56 seconds the mile Hazard close upon him. Fearnought keeping up them and the English rider very steadily, with his jump of weight, lying some lengths behind, after 2 mile Deception cried "enough" and Fearnought took up the lead, with the "Lancet," alongside. At the 2 mile post Fearnought began to creep away and Darfour commenced to seal up. At the turn home Fearnought led Darfour in hand, striding along at a pace that soon brought him on Fearnought's quarter. On opening the stand Darfour came away and run in 2m 59s with apparently plenty to spare---thus confirming all previous experience, on the Indian Turf, that the best of Arabs cannot compete, with the stride of the English thorough bred, even at 2st. difference of weight.

For the second heat, Fearnought had to make his own play, in consequence of which the time was not so good viz. 3m. 2s. The last 1/4 mile however was run in 58s and it appeared to us that the big'un required a little shaking at the distance, he however came in well in hand ---and his powers are still secret.

A repetition of similar good sport is anticipated on Wednesday next. At the ordinary, on Tuesday, at the Club the several entrances are to be declared, and the pulses of the owners of the high bred cattle will be felt. ---Hark. Jan. 23.

SECOND DAY---Wednesday, 13th January.

FIRST RACE.---A Subscription of 5000 Rs. each, P P with 500 from the Fund, for Maiden Arabs 1 1/2 mile, Heats, carrying 8st 7lbs winners on the day of starting to put up 5lbs, closed on the 1st September ---4 Subscribers.

Mr Taylor's .. s k a h Hazard 1 1
Mr Fox's .. g a h St George..... 2 3
Mr Hallett's .. s a h Toddles..... 3 2
Mr Smollett's .. dr.

Time---3m 33s. 3m 40s.

1st Heat.---The horses off well together, the Grey making the play, the Black and Bay holding to him ---at the monument they closed and came up the Hill together rating it at a slapping pace to the distance Post, were the Black showed in front, winning easy by a couple of lengths.

2d Heat.---A beautiful start. The Grey again making play,---In the first hundred yards Toddles' rider broke his stirrup---The Grey kept the lead to the monument where the Bay and the Black closed up, and from the brow of the hill they were neck and neck at the distance post the Grey was told out---the Black and Bay making a most capital Race, the former winning by half a length---the beautiful riding of G. Smith desired a better fate---had he not met with so serious an accident, we think a different tale would have been told---A fearless nigger rode the winner very steadily

2d RACE.---The Union Cup value Rs. 1,500, by a Subscription of Rs. 50 each - free for all Horses, two miles---Weight for age, English Horses to carry two stone, Cape, Country-bred, and New South Wales Horses, 7lbs extra---Winners of a previous year to put up 5lbs

and of two or more seasons 7lbs and 1/2 cwt. Entrance 1/2 Gold Mohurs, 5 forfeit, if declared to the Secretary the day before the Race. To close and name on the 15th December, 1840.

Mr Thornhill's .. s e g Darfur..Owner ... 1
Mr Fox's .. s a h Pathfinder..... 2
Mr Hallett's .. s a h Vestige (late the Doctor) 3
Mr Taylor .. Nine paid forfeit.

Time---2m 53s.

UNION CUP.---For this Race three horses came out. The Arabs carrying 7st. 12lbs. each, and the English 3 stone extra. A very bad start, Vestige losing several lengths---Pathfinder made all the play, the Englishman some lengths behind, watching at the turn in, the Englishman came up, passed Pathfinder, and won the Race in a canter---Vestige never made up his lee way.

3d RACE.---The late's Welter of 10 Gold Mohurs each, for Arabs that never two before the 1st day of the Madras meeting of 1841, one mile and a half 10st 10lbs each---Gentlemen riders. The winner of the Great Welter to carry 7lbs extra --To close and name to the Secretary by 12 o'clock the day before the Race

Mr Fox's .. g a h True Blue Mr. Woodgate.. 1
Mr Hallett's .. s a h Mark 2
Mr Thornhill's .. g a h Hawk Hurst... 3
Mr Smollett's .. g a h Cynic Did not start.

Time---3m 13s.

Mark very fidgetty, would not come up to the Post for some time, at last he was coaxed up.---The word "off" was given but the Rider of Cynic having a private opinion of his own that it was no start, did not, and though urged by the owners of the nag would not go. The horse was walked away to his Stables---True Blue led all the way and won easily---Cynic was the favourite. "My luck again."

Match for 50 Gold Mohurs R C, 8st 7lbs.

Mr Fox's .. Lancet..... C Price..... 1
Mr Hallett's Boots (late Cottager) .. G Smith... 2

Time---3m 2s.

MATCH.---A capital start, the Grey inside holding to the other. In this way they ran to the top of the hill at a steady rate, the pace then mended, at the distance Post they were neck and neck and both at the whip The Bay won a well contested Race by a nose in 3m. 2s.

THIRD DAY---Saturday, 16th January.

THIRD DAY.---A Subscription Purse of Rupees 350 each, P. P. with Rupees 350 from the Fund, for Maiden Arab Horses. Heats 1 1/2 miles, 8st 10lbs winners once to carry 5lbs twice or oftener 10lbs extra.---Closed on the 1st September---4 Subscribers.

Mr Smollett's .. s k a h Caliban..... 3 3
Mr Hallett's .. s k a h Hazard..... 2 2
Mr Thornhill's .. g a h Hawk Hurst.... 4 dr. 1
Mr Fox's .. s i g a h Glengour, C Prince... 1 1

Time 1 .. 1--2 3 .. 3 2d Heat 3--3 .. 3
Both Heats won easy.

2d RACE.---The Ladies' Purse of 50 Gold Mohurs added to a Subscription of 10 Gold Mohurs, H. R. for all Arab Horses---weight for inches, Heats 2 miles, fourteen hands to carry 8st, winners once to put up 5lbs and twice or oftener 5lbs extra.---To close and name on the 15th December, 1840.

Mr Smollett's... G A H Cynic... G. Smith...	1	1
Mr Taylor's... G A H The Thug.....	4	4
Mr Fox's... G A H True Blue.....	5	5
Mr Hallett's... G A H Mark	3	3
Mr Bunce's... G A H Deception.....	3	2

Time 1---1 2 3---3 9 4 9
1 1---2 7---3 7---4 11

3d RACE--Hack Stakes for all Horses 3 Gold mohurs each, with 15 Gold Mohurs from the Fund, Heats $\frac{1}{2}$ mile 11st, Gentlemen Riders The winner to be sold for 400 Rupees if demanded within a quarter of an hour after the Race.

Mr Hallett's... C C M Phantom	dis
Mr Bunce's... C A H Light Bob.....	4 3
Mr Fane's .. B C M Poll Maggots	3 4
Mr Owen's... W A H Galaxy	1 1
Mr Woodgate's B A H Longwaist.....	2 2
Mr Phillips'... B A H Unknown.....	dis

Time 1 33 1 36

Madras Spectator. Jan. 16.]

FOURTH DAY, MONDAY, 18TH JANUARY.

First Race ---Sweepstakes for 500 Rupees each, for all Arabs, 8st 4lbs. each, Cape, New South Wales and Country bred to carry 10lbs. and English 2st extra Winners once 5lbs, twice 8---oftenest 1st---2 $\frac{1}{2}$ miles. To close on 15th December and name the day before the race---Three Subscribers or no Race

Mr. Fox's g. a. h Glengour, 8st 12lbs. (L Price) ..	1
Mr Taylor's bk a h. Hazard 8st 9lbs.....	2
Mr. Smollett names b e g Darfour, 10st 12lbs. . dr	
Time---1m 9s---2m 10s- 3m 10s---4m 14s---5m. 18s.	

Won easy.

Second Race---Presented to the Madras Course, the Armenian Cup, free for all Horses, three quarters of a mile. Arabs 8st 4lbs, Cape, New South Wales and country bred, 9st and English Horses 11st. To close on the 1st January, and name the day before the Race---Entrance 5 Gold Mohurs'

Mr Birch names b e g Darfour, (Mr Thornhill) ..	1
Mr Fox's g a h Sallachan.....	3
Mr Hallett's g c h Boots,	3
Mr Taylor's g a h The Thug	4
Mr Owen's b c h Flyfisher, ..	5
Mr Smollett's w a h Fearnought, ..	dr

Time---2m 8s---1m 37s. Won easy.

3d Race---A Plate of 50 Gold Mohurs, for all Arab Horses weight for age Heats round the Course. Entrance 1s Gold Mohurs, 5 forfeit. To close and name 15th December.

Mr Smollett's w a h Fearnought, 9st.....	1	1
Mr Hallett's b a h Vestige, 7st 12lbs.....	2	dr
Mr Taylor's g a h Spring. 7st 12lb.....	3	2

Time---1m 14s---2m 21s---3m 18s---1m 20s---2m 22s---3m 31s. Half an hour allowed between Heats to be calculated from the time the last jockey is weighed, at the expiration of which time the Horses will start without waiting for those not in readiness---one quarter of an hour between Races.

Sealed nominations particularizing the colour and name of the Horses accompanied by the subscription and entrance for all Races, except those otherwise provided

for, to be sent to the Secretary by 12 o'clock P. M., on the day preceding the Race, and to be declared by him at the Ordinary the same evening, with the exception of those Races which take place on Monday's for which days the nominations, &c. to be sent by 12 o'clock, P. M., on the Saturday preceding.

Any owner of a horse not having paid his subscription and entrance to the Secretary at the time of his sending his nomination for the Race, will not be allowed to start his horse for that Race.

The Trumpet for Sadding will sound at 6 o'clock, and the horses for the Maiden Purse to be in readiness to start at a quarter past six.

All Dogs found on the Course, will be destroyed.

Englishman.

S. D. BIRCH, Secretary

SIXTH DAY,--MONDAY, 25TH JANUARY.

1st RACE--Forced Handicap for winning horses only for which all winners during the meeting must enter with the exception of Hack and Untrained Stakes.--A winner once to pay 5 gold mohurs--twice 10--and 5 gold mohurs for each additional race, 1 heat and 2 miles.

Mr Fox's Glengour 8st 4lb carried 8st 12lb Price	1
Mr Thornhill's Darfour..	2
Mr Smollett's	
Mr Taylor's	

Time--1m 4s. 2m 5s. 3m 5s. 4m 3s.

2d RACE--Hazard Stakes--A Purse of 500 Rupees for all Arab Horses bona fide property $\frac{1}{2}$ mile and a distance Heats 8st 5lbs. Winners to put up 6lbs. Entrance 5 G. M. Three Horses to start or no Race.

Mr Taylor's... B. A. H. Hazard 11st 6lb..	1
Mr. Fane's . . . G. A. H. Grosvenor..	2
Mr. Smollett's... C. A. H. Spooner. .	3

Time--1st heat 3m 22s. 2d heat 3m 33s.

3d RACE--Match. For fifty Gold Mohurs H F one mile carrying 10st 12lbs

Mr Woodgate's... W. A. H. Galaxy....	Owner..	1
Mr Dowdswell's... G. A. H. The Snob		2

Time--2m. 4s--easy.

Madras Athenaeum, Jan. 26.]

PALAMCOTTA RACES.

FIRST DAY, JANUARY 25, 1841.

FIRST RACE--A sweepstakes of 60 rupees each with 200 rupees from the Fund for all horses that have never started for plate, purse, match or sweepstakes, Arabs 10 stone C and N S W 1 stone extra, mile heats two horses to start or no race. Horses to be nominated on or before 1st January, 1841.

Mr Ochiltree's... B A H Dangerous	1	1
Mr Tingle's... G A H Stangle.....	2	2

SECOND RACE--The Tingavelly Welter entrance, 3 gold mohurs with 200 rupees from the Fund, 11st 7lbs C and S W 1 stone extra, $\frac{1}{2}$ mile and a distance, gentlemen riders. Horses to be nominated on or before 1st January 1841. Two horses to start or no race.

Mr Ochiltree's G A H O'Connell 1
 Mr Byrel's G A H Mcalantins 2
 Mr Tringle's G A H Monsieur Poopoo 3

THIRD RACE. - A hack sweepstakes entrance, one gold mohur, 9 at 8 lbs $\frac{1}{2}$ mile, heats 100 rupees from the Fund name of horses for this race to be sent to the secretary before 12 o'clock the day previous, winner to be sold for 200 rupees if demanded within a quarter of an hour, owner of the 2d horse to have priority of claim. 3 horses to start or no race, P P.

Mr Byrel's B A H Bay Malton 1
 Mr Ochiltree's B A H Newlight 2
 Mr Alexander B A G Squeak 3
 Mr Mug's B A H Spangle drawn

SECOND DAY, JANUARY 27, 1841.

FIRST RACE. - T & Palamcottah stakes 650 rupees from the Fund, 3 gold mohurs entrance, miles heats Winners before the day of starting to carry 7 lb extra weight, 10 at C and N C W 11st Horses nominated on or before 20th January 1841. Two bona fide Horses to start or no Race H P.

Mr. Tringle's G. A. H Prince Albert.. Galloped over
 Mr Ochiltree's B. A. H. Blackbird drawn
 Mr Byrel's G. A. H. Mcalantins drawn

SECOND RACE The Little Welter, distance 1 mile, weight 10st. 10lb Entrance 2 gold mohurs with 150 rupees from the Fund. C and N S W 11st 10lb, Horses to be nominated on or before 1st January 1841 Two bona fide Horses to start or no Race. P. P. Winner of the Great Welter to carry 10lb extra.

Mr Tringle's G A H Spangle 1
 Mr Ochiltree's B A H Dangerous 2

Won easy.

THIRD RACE - A Hurdle Race. 20 rupees entrance, with 10 rupees from the Fund Weight for Arabs 10st 8lbs C and N S W 11st 8lbs Distance 2 miles 6 hurdles of 3 feet in height. The last horse to pay the entrance of the second, horses to be nominated on or before the 1st day of the meeting Horses to start or no Race, P P

Mr Ochiltree's G A H O'Connell 1
 Mr Tringle's G A H Monsieur Poopoo 2
 Mr Byrel's C M H Adonias 3

THIRD DAY, JANUARY 29 1841.

FIRST RACE - Sweepstakes for all horses entrance 45 rupees P P with 150 rupees added from the fund. Weight for inches, 14 hands to carry 9st 7lb. Winners once before the day of starting to carry 7lb extra, oftener 10lb. Distance two miles. Horses to be nominated on or before the 2d day of the meeting. Two bona fide horses to start or no race.

Mr Tringle's G A H Prince Albert 1
 Mr Byrel's B A H Bag Malton 2
 Mr Ochiltree's W A H Rob Roy 3
 Mr Byrel's G A H Conjee Saddle 4
 turned under $\frac{1}{2}$ way, pulled in.

SECOND RACE. - A Pony plate, 5 gold mohurs from the Fund 10 rupees entrance $\frac{1}{2}$ mile heats. Catch weight. Two bona fide, Horses to start or no race - Post entrance. Mr Tringle's B A F Red Robin 1
 Mr Byrel's B F Box 2
 first time saddled shifted - considered under, started 2d time.

THIRD RACE. - A forced handicap for all winning horses a winner once 60 rupees oftener 100 (winner of the hackstake, excepted.)

Mr Ochiltree's G A H O'Connell 1
 twice a winner.
 Mr Tringle's G A H Prince Albert 2
 Mr Tringle's G H H Spangle 3
 Mr Ochiltree's G H H Dangerous 4
 bolted.

FOURTH DAY, 30th JAN. 1841.

FIRST RACE. - Forced handicap for all beaten horses during the meeting 100 rupees from the Fund. Entrance 10 rupees $\frac{1}{2}$ mile P P the last to pay the entrance of the 2d.

Mr Byrel's G A H Mcalantins 1
 won by a neck
 Mr Byrel's B A H Bay Malton 2
 Mr Byrel's G A H Conjee 3
 Mr Tringle's G A H Monsieur Poopoo 4
 Mr Ochiltree's W A H Rob Roy dr,

SECOND RACE - A sweepstakes of 4 gold mohurs each for Arab horses carrying 9st 7lb 1 mile

Mr Tringle's G A H Prince Albert 1
 Mr Ochiltree's G A H O'Connell

A pony race for natives once round the course for 20 rupees A Jemadar's pony, 5th regt N 1 won.

A hack race for Europeans for 15 rupees, won by gunner White.

A foot race for Europeans for 15 rupees, won by gunner Rilly A native foot race of 12 men, 2 from each company, 5th regt N 1 to run, distance $\frac{1}{2}$ mile, winner 1 rupee and a sheep, the company he belongs to, 20 sheep to be given by the commanding officer - won by a scopy of the grenadier company

C. SMITH, Secretary.

---Madras Atheneum, Feb 6]

BOMBAY RACES - 1841.

FIRST DAY, TUESDAY, 2D FEBRUARY, 1841

FIRST RACE Sweepstakes of rupees 500 each P. P. with rupees 100 from the Fund for Arabs that never started before the day of closing, 2 miles, 8st 7lbs.

The Confederates' G A H The Iron Duke 8 7 1
 Mr Vibart's G A H Nil Desperandum. 8 7 2
 Mr Smith's G A H Crutch 8 7 3

Time - 1st half mile 59s, 2nd 1m 1s, 3d 1m, 4th 1m 4s - 4m 3s

SECOND RACE - A Welter, rupees 600 from the Fund, with a Sweepstakes of rupees 150 each for all Arabs, 11st 7lbs, gentlemen riders.

The Confederates' G A H Amato 11 7 1
 Capt Harrison's G A H Gold Fringe .. 11 7 2

Time - 1st half mile 1m 5s, 2nd 1m, 3d 1m. - 3m 6s

THIRD RACE. - A give and take rupees 500 from the fund with a Sweepstakes of 150 rupees each, 14 hands carrying 9st, $\frac{1}{2}$ miles, heats.

Mr Black's. B A H Hoffman, 14 1 1
 Mr Simpson's. B A C Mootrub, 13 2 2
 Mr Vibart's. G A H Roderick, 12 5 3
 Colonel Daly's. G A H Lochinvar, 9 3 8 2 4
 The Confederate. C A H Little Char, 9 1 12 1 5
 Time, 1st Heat—1st half mile 1m 1 3/4, 2d 3 3/4, 3d 5 3/4.
 —2m 19s.
 " 2d Heat— " 1m 58s, 1 58s
 —2m 56s. D. M. S., Secretary.

Times, February 3.]

SECOND DAY, THURSDAY, 4TH FEB. 1841.

FIRST RACE.—The Bombay Great Welter Stakes of 10 Gold-mohurs P. P. and 40 Gold-mohurs from the fund, 1 1/2 miles and a distance for all Arabs that never started before the 1st July 1840, 11st:

Mr Vibart's.	G A H Nil Desperadam.	11st	
Mr. Kemp's.	C A H Gold Fringe.	11st.	
Mr. Edward's.	B A H Retaliator.	11st.	
Mr. Wilson's.	G A H Crutch.	11st.	
The Confederates.	G A H The Iron Duke.	11st.	
	1st Heat.	Time.	
	4 Dist.	0 18	
	1	1 5	
	5	0 58	
	3	0 59	
	2	3 20	
	Total	3 20	

SECOND RACE.—The Elliot Cup by subscription, in honor of a zealous supporter of the Turf, for all Arabs, 3 miles, 8st 4lbs. Winners once 3lbs extra, twice or more 7lbs extra, entrance rupees 100.

Mr Black's.	B A H Hoffman, 8st 11lbs.	
Mr Vibart's.	G A H Feramorzee, 8st 11lbs.	
Mr Simpson's.	C A C Mootrub, 8st 4lbs.	
The Confederate's.	G A H Amato, 8st 11lbs.	
Mr Daly's.	G A H Potentate, 8st 4lbs.	
	1st Heat.	Time
	3 Dist.	1 3
	4	1 3
	5	0 56
	2	1 2
	1	1 1
		1 0
	Total.	6 5

THIRD RACE.—The Lady's and Bachelors' Purse for all Arabs' rapces 500 from the Fund, with a Sweepstakes of rupees 150 each, 1 mile Heats 8st. 7lbs.

Mr. Vibart's.	G. A. H. Ganymede.	8st 7lbs.	
The Confederate.	G. A. H. Little Bandoola.	3st. 7lbs.	
Mr. Daly's.	Lochinvar.	8st. 7lbs.	
1st Ht.	2nd Ht	3rd Ht	Time.
2	3	3	0 56
3	1	1	0 55
1	2	2	1 1
			1 3
			1 56
			1 56
			1 59

Dom. Gaz, Feb. 6]

The Races on Saturday were numerously attended by the Beauty and Fashion of the Island, while excellent sport rewarded the spectators for the trouble of attending. The first race was well contested and won by Grand Master. But the second was the glory of the day and we have seldom seen a more interesting race than that

between Potentate and Amato. Lochinvar was drawn. The two horses started at the lower end of the course to make up the two miles when they first passed the stand they were so close together that you might have covered them with a Table cloth, and thus they rated it together all round. Neither seeming to get the advantage by half a head, in this manner they passed the distance post, and now every fair throat was stretched out to distinguish the conqueror. On they came, like lightning they passed, and the word "NOW" shouted at the Betting stand set every one on the "qui vive" to know who was the winner? Some said Potentate, some Amato, when the Judge's decision gave it as a dead heat. The backers of Amato now began to look grave, for to an experienced eye—Potentate, evinced the most strength and bottom, and so it proved, for in the next heat Potentate won easily, his Jockey not only not flogging, but looking back for his adversary. Should these two horses meet again for a mile and a half we should be inclined to think that a very pretty race may be expected. Potentate is a very superior horse, and we have heard that at Poona he gave evidence of great strength and bottom in a four mile race. The sports continued until a late hour, the Whim Plate was won by Hoffman who had it all his own way though pushed at times by the Grey and Chestnut. The company separated highly pleased, and no accidents marred the enjoyment of the sport. We must also express our admiration of the excellent arrangements made for clearing the course. None of the usual nuisances of dogs running between the horses' legs, while the natives who line the ropes were unusually ductile and gave the gentlemen of the long whip (not robe) very little trouble in confining them to their own proper bounds, - which is extraordinary, for there was rather a full attendance of what Sir John Hobhouse calls "the turban'd gentlemen," but they were very orderly, and loud shouts of "Shahabash" and "Bulla Bahoo" evinced the interest they took in the exciting sport, while the wives of the Sepoys, and the "Go it" of the European, swelling the chorus of applause, mingled in uproarious merriment and, added to the fun and frolic of the day.

THIRD-DAY, SATURDAY, 6TH FEBRUARY, 1841.

FIRST RACE.—Sweepstakes of rupees 500 each, with rupees 500 from the fund for Arabs that never won, 1 1/2 miles heats, 8st 4lbs closed on the 15th October.

Mr. Vibart's.	G A H Crutch 8st 4lbs.	2 2
The Confederates.	B A H Grand Master 8st 4lbs.	1 1

Time.	Time.
1st Heat.	2d heat.
1st 1/2 mile. m. s.	1st 1/2 mile. m. s.
2d ditto. 1 0	2d ditto. 0 59
3d ditto. 1 2	2d ditto. 1 3
	3d ditto. 1 3
Total 3 2	Total 3 5

Won easily by Grand Master.

SECOND RACE.—A gold cup, the gift of an Amateur, value 150 guineas, with a sweepstakes of rupees 50 each, for all Arabs, bona fide property, 2 miles, 8st 7lbs, the cup to be the property of any gentleman who may win it two successive meetings.

Mr. Daly's.	G A H Lochinvar, 8st 7lbs.	drawn
Mr. Daly's.	G A H The Potentate, 8st 7lbs.	0 1

The Confederates. G A H Amato, 8st 7lbs. 0 2

Time.	Time.
1st Heat	2d Heat.
1st 1/2 mile. m. s.	1st 1/2 mile. m. s.
1st 1/2 mile. 0 57	1st 1/2 mile. 0 57
2d ditto. 1 4	2d ditto. 1 3

3d ditto. 0 59
4th ditto. 0 59

Total 3 59

3d ditto. 0 59
4th ditto. 0 59

Total 4 0

1st HEAT.—A beautiful race ending in a dead heat; though most thought Amato had won.

2ND HEAT.—Potentate won easy.

THIRD RACE.—A whim plate of rupees 500 from the fund for all Arabs, weight for age, and inches, 14 hands and aged carrying 9st entrance 100 rupees, 2½ miles.

Mr Black's. . . B A H Hoffman. 3st 13lbs 7oz 1
Mr Simpson's. . . C A C Mootrub. 1st 5lbs 9oz 1
The Confederate's. . . G A H The Iron Duke 8st 23lbs 14oz 3
Mr Young's. G A H Kamran. 8st 12lbs 18oz 4

Time.

1st Heat

	m.	s.
1st ¼ mile.	0	57.
2d ditto.	0	59
3d ditto.	1	3
4th ditto.	1	1
5th ditto.	1	1

Bombay Gazette, Feb. 8.]

Total 5 2

The Races were rather thinly attended yesterday as very little sport was expected. The Purse given by Moosa the dealer of 1500 Rupees was won easily by Potentate carrying 8 stone 11lbs. against Red Rover and Sir Roger who each carried only 8 stone 4lbs. The Byculla Club Purse was also won easily by Hoffman who carried a stone more than his competitor mootrub. The Third Race for the Sweepstakes however amply repaid the spectators as it was very nearly the best of the meeting. Nil Desperandum, Crutch and Gold Fringe started, the two former carrying 8 stone and Gold Fringe who had been previous a winner bearing 7lbs more. The start was good and the three horses kept close together all round, and the Race was won by Nil Desperandum by a head. Gold Fringe was the favorite at starting and we believe very few imagined that Nil Desperandum had a chance, however he has proved himself a good horse and will no doubt be a favorite in future. The time was good only 2.58 and the first half mile was done in 54 seconds. The Races were over early and many seemed to linger in the hopes of more sport, but we rather imagine the Sporting Circles are on the look out for the Outram Cup which is to come off on Thursday, when all the best horses are expected to meet and severe contest may be looked for. The Races to come off on Thursday are 1st. The Bombay Turf Cup 2 miles.—2nd. The Outram Cup for all Arab Maidens of the Season 2 miles and 3rd. The Hack Plate, Gentlemen Riders. The Outram Cup will be the great object of contention, the Maidens are to carry 8 stone 4lbs. Horses that have started before 9 stone. Very heavy bets are depending on this Race and much money will change hands in the issue. We would advise those who wish to see a capital race to attend early and secure a good place.

FOURTH DAY, TUESDAY, FEBRUARY 9, 1841.

FIRST RACE.—A Purse of Rupees 1500, given by Moosa, the dealer for horses, purchased of him after the 1st January 1840, two miles, 9st. 4lbs. entrance Rupees 100, winners once 5lbs. extra, twice or more 7lbs. extra, if only 2 horses start 1000 Rs. given, a horse walking over to receive Rupees 500.

Mr. Daly's G. A. H. The Potentate, 8st. 11lbs. . . 1
Mr. Francis C. A. H. Red Rover, 8st. 4lbs. . . . 0
Mr. Fenwick's B. A. H. Sir Roger, 8st. 4lbs. . . 0

SECOND RACE.—The Byculla Club Purse, with a Sweepstakes of Rupees 150 each, for all Arabs, weight for age, 1½ mile heats.

Mr. Black's B. A. H. Hoffman, 8st. 12lbs. . . 1 1
Mr. Simpson C. A. C. Mootrub, 7st. 12lbs. . . 2 2

Time.		Time.	
1st Heat.		2d Heat.	
	m. s.		m. s.
1st ¼ mile.	1 0	1st ¼ mile.	1 2
2nd ditto.	1 0	2nd ditto.	1 0
3rd ditto.	1 ½	3rd ditto.	1 1
Total..	3 ½	Total..	3 1

THIRD RACE.—A Sweepstakes of Rupees 300 each 1¼ miles.

Mr. Vibart's G. A. H. Nil Desperandum, 8st. . . 1
Mr. Simpson's G. A. H. Crutch, 8st. 0
Capt. Harrison's C. A. H. Gold Fringe, 8st 7lbs. 0

Time.	
Heat.	
	m. s.
1st ¼ mile.	0 58
2nd ditto.	0 59
3rd ditto.	1 1

Total.. 258

A beautiful Race won by a Head.—Bombay Gaz. Feb. 10.

FIFTH DAY, THURSDAY, 11TH FEB., 1841.

FIRST RACE.—The Bombay Turf Cup, value 100 Guineas, according to its conditions, 2 miles, 9st sweepstakes of Rupees 300.

The Confederates' G A H. The Iron Duke, walked over.

SECOND RACE.—The Outram Cup for all Arab Maidens of the season 8st 4lb. Horses that have started before 9st 2 miles. Entrance Rupees 100.

Mr Black's. . . B A H Hoffman . . . 9st. . . 2
Mr Daly's. . . G A H Lochinvar. . . 9st . . . 0
Mr Daly's. . . G A H The Potentate. . . 8st 4lbs. 3
Mr Simpson's. . . C A H Mootrub . . . 8st. 4lbs. 0
Capt Harrison's. . . G A H Young Governor 9st . . 0
The Confederate's G A H Amato. 9st . . 0
The Confederate's B A H The Grand Master 8st 4lbs 1
Mr Vibart's . . . G A H Feramorze . . . 9st. . . 4

Time—77s, 59s, 58s, 1m.,—3m 54s.

THIRD RACE.—A Hack Plate of Rupees 300 from the fund, with a sweepstakes of rupees 50 each 1½ miles 1st Gentlemen Riders; the Winner to be sold for Rupees 1000 if demanded within half an hour.

Mr. Kemp's. . . B A H Retaliator. 3
Mr. Vibart's. . . I A H Roderick. 3
Mr. Simpson's. . . C A H Galopade. 4
Mr. Young's. . . G A H Kamran. 1

Time—1m. 1s., 1m. 1s., 1m. 1s.,—3m. 3s.

NOTICE.—The settling for the Lottery on the 6th day's running will take place on Monday evening, the 15th instant, at the Byculla Club House.

D. M. S., Secretary.

Bombay Times, Feb. 13]

Of nearly equal value, as shown in the Statement, is the trade with Celebes and other Eastern Islands, commonly known as the Bugis trade, in which it is gratifying to observe an increase also, although to the limited amount of Sp. Drs. 38, 147 in imports, there being however, a decrease in exports of Sp. Drs. 14,072. The principal item of importation consists of Cotton Goods or Sarongs, of their own manufacture, valued at Sp. Drs. 119,523, the next being Coffee, pcls. 3,768 equal to Sp. Drs. 45,551; Gold Dust to the value of Sp. Drs. 25,000; Mother of Pearl Shells to the value of Sp. Drs. 21,110; Treasure valuing about Sp. Drs. 21,000; with Tortoiseshell, which in former years constituted by far the largest item of imports, of the value of only Sp. Drs. 45,000. Piece Goods British and Indian, Cotton Twist, Woollens, Earthenware, and Copper Coin comprise, as heretofore, the principal exports. Opium constitutes less than a fifth part of the total exports, which are chiefly composed of articles of British origin.

The trade with Manila makes an unusually important figure in the Statement for the year, the imports amounting to Sp. Dis. 312,993, or Dra. 176,911 in excess of the former year, and the exports to Drs 602,508 being an increase of Dra. 3,40,975 over 1884-89. The augmentation here is found in Segars among the imports, amounting alone to Sp Dis. 163,749; and in the exports to the extensive shipments of Opium to that port, consequent on the unsettled complexion of affairs in China, and which itself amounted to Dis. 411,090.

On the Trade with Sumatra a small increase is also perceptible for the past year, amounting to Drs 1,166 on imports and to Drs 18,089 on exports; the former being Drs 291,970 against Dis 281,801; and the latter Drs 256,879 against Drs 238,790, in 183-39.—Sago Flour, an article of comparatively small value, and of which the importation equals in amount Sp Drs 60,500, is, however, almost the only article in which an increase is seen,—Treasure, Coffee, Pepper, Betelnut &c, composing the other chief articles, and some of them, exhibiting a decrease. The exports consist of a great variety of European and Asiatic articles, of which British and Indian Piece Goods, in about equal proportions, make up together about 90,000 Dis. or a third of the export trade to this country.

Borneo is not far behind Sumatra in the extent of its trade with this settlement, although it exhibits a decline in imports compared with 1898-99 of \$m. 10,201 being \$m. 266,338 for

last, and Drs. 265,520 for the foregoing year, which again fell considerably short of what they were in 1927-28. The principal item of imports is Gold Dust, amounting to Drs. 101,139; Bird's Nests, Bees' Wax, Battans, Spigo, Fiqar, &c. Among the exports the principal items are Indian Piece Goods, to the amount of Sp. Drs. 82,576; British Cotton, Sp. Drs. 25,072; Nankows and Malay Piece Goods, Sp. Drs. 35,000; and Opium, Sp. Drs. 15,270, these constituting the principal articles of export.

Bombay takes the next place in the extent of its trade with this settlement, the imports having increased from Sp Drs. 89,997 in 1838-39 to Sp. Drs. 202, last year, and the exports from Sp. Drs. 259,389, to 543 to Drs 289,461. Opium to the extent of Dis. 121,723; Indi in Fine Goods to Drs. 16,793, and Cotton to Drs. 16,225, constitute the principal articles of Importation; and Sugar to Drs. 101,852, Tea to Drs. 70,477, with Spices, Treasure, and Segals, those of exportation.

An interesting trade, both in imports and exports, is observed with the neighbouring port of Rho, of which the former amounts to Spanish Dollars 162,792, and the latter to Sp Drs 188,118. The chief imports are Gambier, pcls 20,781, Pepper, pcls 11,603, Rice, pcls 9,582, and Specie, Sp. Drs. 10,875: the chief export consisting of Specie to the extent of Sp. Drs 114,000, Opium, and British Piece Goods.

With Cochin China, the West Coast of the Peninsular Bally, and the numerous small Malay ports in the neighbourhood, aggregating a considerable commerce, there is shown an increase for the past year of about Sp. Drs. 170,000 altogether in imports; and of above Sp. Drs 157,000 in exports, though in the latter there is a decrease both for the West Coast of the Peninsular and Bally,

With the Machic Coast the trade has, decreased from Drs 278,937 to Drs 165,433 in imports, while there appears a trifling increase in exports, and Arabia and Ceylon, with which the trade is at best extremely circumscribed, show also a decrease.—As to the places on the other side of the Cape with which we carry on a limited trade, there is a comparatively considerable increase with foreign Europe, and a total falling off in the trade with the United States.

It is to be understood that the Comparative Statement here referred to, and which shows the above specified increase in the general commerce of the Settlement, does not include the international trade with the other British ports in Siam—where, with Penang, about the 1 of Dec. 507, 250 reports, and of Dec. 71 Exports take place valued at Rs. 215,000; and Dec. 255,667 in Imports. The majority of the trade employed is square-rigged, chiefly employed, and navigated by crews ranging from one hundred and fifty to 200 men, and carrying 100 to 200 tons.

INDIGO PLANTERS' FUND, &c.

To the Editor of the Bengal Hurkaru.

DEAR SIR,—As I have not the honor to belong to the "Planters' Association," will you be good enough to inform me whether any steps are to be, or have been, taken by their committee, towards obtaining more equitable laws or regulations for the protection of indigo planters, because, I believe, that, with the exception of the opium agents, no other class of merchants or traders, ever advance money for the cultivation of Indigo, at least not to any extent. At present, the planter is wholly unprotected by law, in his position, either from unprincipled zemindars or dishonest ryots, and then it is a matter of wonder, that the planter occasionally takes the law into his own hands! So long as the law will not protect the planter, the evils of the present will continually occur.

Now I shall proceed to state a case for the consideration of the Planters' Association; and I trust that the members will consider this one of my letters addressed to them. In January 1840, I advanced (say) 2 or three rupees per biggah to 150 ryots of the village R. . . . The ryots, according to custom, sign an agreement or *bahadur* binding themselves to sow one, two, or more biggahs of land a the case may be, with Indigo seed, for a successive year—the seed being supplied to them by me at the rate of 4 rs. per biggah. When the ryots are made, in autumn, I send by me to each ryot, to choose and measure the quantity of land for which the ryot has taken an advance, and in the ryots' presence, the ameen cuts the factory mark (usually a capital letter) upon one of the four ridges or borders encompassing every field, and from that time till the crop be removed, the land so marked is considered mine. In 1840 the ryots of the said village gave up, cultivated sowed, weeded, and delivered their crop to me like honest men, and in the commencement of 1841 came to the factory, settled their accounts, and again made over certain quantities of lands, (according to their "bahadur" or current year's agreement) to my ameen, who, as usual, marked the lands, and entered a register of them in his book. When rain fell on the 3d of April all the ryots of the said village, whose lands were ready to receive the indigo seed, came to the factory, took away ~~the seed~~ sowed some 90 or 100 biggahs. Soon after this,

the zemindar, (who was lodging a *perwana* all last year, and whose talook was lately sold for arrears to Government, and bought in by himbenaries, at about 16th part of its value) returned to his house, and sending for the ryots of the said village, forbid them, at their peril, to sow any indigo for me, and likewise ordered them to erase my mark from all the lands and substitute his. Some of the ryots obeyed his orders, but substituted his mark in such a bungling manner, that mine was still discernible, as I showed to our magistrate, who from an earnest desire to render justice to all parties, visited the spot, and gave orders, that until further notice, nothing should be sown in the disputed lands. This order appears nothing more than just; but upon reference to the Civil and Sessions Judge being made by the Magistrate, he annulled his first order, and directed that the ryots should be allowed to sow their lands (bearing my mark) as they pleased, but strictly prohibited me from sowing at all. This I fancy is according to Regulation, but is it justice? No, it is not! I am now informed that I may sue the ryots in the Civil Courts for the value of the indigo at ten rupees per biggah! Absurd mockery? I can easily prove my right to the use of the land, and without doubt should get a decree, (Heaven knows when?) but what is the use of a decree upon a man whose whole property is most likely, not worth half or a quarter of what he owes me. Besides, the chances are, that the moment the suit is instituted, every rascal who possesses any thing capable of being converted into cash, would remove it, to some other village, and those who have nothing would ask me, "don't you wish, &c." Another great evil arising from the ryots being allowed, in fact encouraged to evade their contracts in this manner, is, that any other vicious talookdar in the concern, with this example before his face, may instigate his ryots to do the same, in hope, extorting a few thousand rupees, as a bribe to be quiet.

The ryots themselves, uninfluenced by their talookdar would never refuse to fulfil their contracts, (except when meditating a flight to another village, a way of escaping payment of their rent and other debts, but too common) for this obvious reason, viz., that in case of losing their rice crops by inundation or other natural cause, they know that the planter is the only source from whence they can obtain relief. If, to take notice of and endeavour to remedy the above detailed

grievances, by seeking a revision of existing regulations, regarding the planting of Indigo, be a part of the proposed duties of the Planters' Association, I shall hope to see this matter speedily taken up by the members of that body, and I shall feel particularly obliged to you, Mr. Editor, if you will comment upon the subject, at your earliest leisure.

I remain, dear Sir,

Your obedient Servant,

S—

Mofussil, 21st May, 1841.—Hurk. May 25.

To the Editor of the Bengal Hurkaru.

Sir,—Your paper of the 25th instant contains a statement of indigo grievances from a correspondent "S." The letter is temperate, but the facts do not appear clearly stated, and the inferences drawn are incorrect. Moreover the remedy is simple, and the adoption of it would prevent similar losses to the planter for the future; as for instance, the first that run are entitled to commit breaches of the peace where the laws do not protect them in their speculations. I suspect that I will find that it is generally held that speculators must examine the law before they embark their capital, and if they find it insufficient to protect it, withdraw from the speculation; but after they have once embarked, no assumption of a right to break the peace will be tolerated.

Now for "S's" case. He contracts for the delivery of produce, to be grown on a certain number of beegahs, as specified in the contract. The contract does not particularize the beegahs, but "S's" agents select them, and "S's" mark is affixed. The parties wishing to evade the contract, appropriate the land to their own purposes, and "S" having no remedy inveighs against the law, and vindicates his title to take the law into his own hands. Why is the law defective? How would it be in other matters? Let "S" order a coat or contract for a coat, (the contract being a written one, and an advance being made,) and select and chalk his cloth. Let him afterwards find the tailor cutting up the marked cloth for another purpose,—will he be justified in seizing the cloth, or will any magistrate put him in possession of it—or will he tell him to sue for the non-performance of the contract? Will he listen to such objection, that the tailor is no capitalist, and that if he lets this cloth be destroyed, will be unable to give a substitute? Will the reply not be, that it was "S's" duty in the first

instance to determine whether he was contracting with a man of sufficient substance and honesty, to render the performance of the contract probable, or the speculation a prudent measure. In Oxford street, let "S" attempt to take the cloth by force and assault the tailor in doing so, and let him tell the London magistrate, that the laws are insufficient to protect him, and I would congratulate him on the result. My chief object in writing now is to point out the remedy.

Let "S" buy a bit of cloth and employ a tailor to fashion it into a coat. If he discovers the tailor misappropriating it, he will be justified in taking it away, and most magistrates will assist him in doing it. Similarly allow the planter to take a pottah of the ryot's field, and to obtain formal possession as the ryots tenant (no stamp will be requisite)—then let him enter into a separate contract for the produce to be obtained and delivered. Should the ryot fail with reference to the contract to sow and prepare the land, he will either be in possession, or have a fair ground on which to contest his title to it. He will also still be able to sue for the non-performance of the contract *

It is useless to say that no ryots will give pottahs for their fields,—why advance until they do? Why make a contract with a man in which he evidently retains a legal advantage over you, and then, when he avails himself of it, complain that the laws are insufficient to protect you, and assume a title to break one law, because another does not suit you!

Перов.

Hurkaru, May 28.

To the Editor of the Bengal Hurkaru.

Sir,—A correspondent, whose letters appear in your paper of the 28th ultimo, in answer to a letter from S, is evidently either no Planter or a younger hand than S. The case of a man ordering a coat from a tailor and making an advance upon it, is by no means analogous to that of a man making an advance on Indigo lands; for this simple reason, that if a man contracts with a tailor for a coat to be made in May, and the tailor does not give it him within the stipulated period, he can get twenty other Tailors in Oxford street to make him a coat similar to the one he ordered, in four or five hours—and he none the worse, most likely, for the delay; but if

* We think this an excellent suggestion.—ED. HURK.

ryots neglect to fulfil their contracts in May (as far as sowing is concerned) the Planter cannot get his indigo sown in June, and if he could it would be useless; and, consequently, the trade by which he lives is stopped, and he, probably, ruined. I never heard of any man assuming a right to break the law, nor does "S," in this letter, say that he has a right to do so, so "that inference is incorrect."

I am, sir, yours obediently,

—, 2d June, 1841.

Hurk. June 6]

Τιμωρὸς.

To the Editor of the Bengt Hurkaru.

MY DEAR SIR,—Your journal of the 28th contains, I see, a reply to the indigo grievances of your correspondent "S." The reply I must pronounce tame and the argument miserably deficient for so grandeloquent and scholarlike a signature as your Enduring Grecian thereunto affixes. As "a Greek" is he really so little "fly" to the nature of planters' contracts with their ryots? and should not this very worthy (without offence,) simply from his position, be better acquainted with the way these contracts are performed, season after season, until a zemindar (from some malicious and interested motives or machinations, as in the present case) steps in with his pernicious influence, and forces his poor victims to "break faith" with their best friend "the planter," and stamp themselves "rogues in grain."—Who, I suspect your correspondent ENDURER (Φερων) is deponent sayeth not, but that he is not one of us is most evident, and his argument even shallow as it is, gives planters very little credit for common sense in the management of their concerns. I cannot attribute merit for disinterestedness in his vaunted contentment, for the peculiar vineyard in which I presume he labours no doubt yields sufficient harvest in the shape of 12 monthly corps per annum (each worth about 2,000 Rs) that surely would satisfy even a more insatiate maw than your correspondent HERON externally so disinterestedly but internally so disingenuously sets himself forth as holding. Now, to shew you, the "malice propense" with which "S." has been treated by the zemindar in question, I can add my testimony that the gomastah of a neighbour, being in the village (upon his own family business) at the time the depositions were being made, was peremptorily ordered off, and told if he afforded "S's" people any support, he would find his master should be served out with the same sauce!

As for pottah or sattia, the difference I take to be, in possession, about the same as the law now exists towards the farmer; for if the zemindar can force his ryots to violate the one, why, he can the other; and if protection was endeavoured to be given, on the plea of "pottah," why that movement would be equally as soon construed into a breach of the peace, and as forcibly acted upon. As for any undue arbitrary proceeding, and during the pending of the question, there would be "the devil to pay, and no pitch hot," in the shape of darogahs, peons, &c., &c., &c. But to end these comments, it is worse than waste of time to dilate upon the subject, for as the law now (apparently immoveably) stands, notwithstanding all the clear and honest protestations that have been so repeatedly made upon it, it is too evident there is inclination wanting to protect the planting interest of this country—(how very different has the crown acted to its western planter!) and, therefore, where is the sincerity upon, or the utility, therein, of publishing the flourishing report of Horticultural and Agricultural Society for cultivation of flax, hemp, cotton, sugar, and all the rest of it, now endeavouring to be made staple articles of country export, if there is still no real protection by law, for a single rupee embarked in their production? No, the planter, honest man, must still rub and trudge on (even more than the old mode of settling such matters) grin, on one or both sides, and bear all his woes and crosses with unrequining patience and exemplary forbearance, until the day arrives, when a simple enactment is legalized, to enable him to obtain summary justice for non-fulfilment of contracts, the cash deposits upon which have been made full six months in advance of the ryot's earliest operations, commencing for refunding the same! Now, for your Enduring Grecian's comments. "When Greek meets Greek then comes the tug of war;" however, "Jarot Greek, Ise English,"—but quite as ready to break a lance with your correspondent; so now,—Dunois to the rescue.—Imprimis, he says "how would it be in other matters." Let "S." buy a bit of cloth and employ a tailor, &c." to cut it, I suppose accordingly. "Let him in Oxford-street, attempt to repossess himself of the cloth, assault the tailor in doing so, and then tell the London magistrate (London magistrate forsooth—"I thank the Jew, for teaching me that word") that he laws are insufficient to protect his property. Why, heaven save the mark! who ever heard or held, that English law, as it is there enacted and administered, is insufficient to protect person or property? The comparison alone

to rank nonsense, and very far from being, as Mrs. Ramshotom calls it in her celebrated correspondence, odorous. Yet if such an affair as this "bit of cloth" simile did come off, why "S's" remedy for redress would be simple, cheap and summary: for the trifle of eight (8) pence, he would obtain an order from "the Court of Requests" (for any debt under 100 rupees,) and that Court, from whence there is no appeal, would, (if disputed,) upon a second person's evidence, compel the contractor, to pay into Court, the value of the property either at once or by weekly instalments, and the first default of which would lodge him in jail for the full amount of debt and costs.

Now, as for the puerile argument of "determining whether we contract with men of sufficient substance," is it not known to all connected with planting pursuits in the Mofussil, that a ryot, once on the factory's books, as a debtor, is compelled to be retained thereon, in self-defence, (merely for repayment simply of his debt, saying naught of interest) and therefore the least that the law can do for the planter, is to ensure him good faith, or at least security for good faith during the ryot's liability. But to return to the main point, as it is worse than useless, it appears, to debate this most important question to planters, in the Calcutta journals, I strongly recommend a system to be adopted for opening a monthly communication with the "London Times," and so bring the grievance before the Commercial and political world at home, which you may rely will eventually obtain justice to the planters of British India. If I recollect me rightly, a part of your correspondent BLUE LIGHT's letter, particularly pointed out that the working of his plan, would end in the crushing of native zemindarie influence, by making the united body, "one general zemindar, indissoluble by death or reversion."

Should these remarks be deemed worthy of a corner in your Journal,* which I am glad to see so heartily notices our cause (and which merits the substantial gratitude of one and all of us,) I shall fancy myself sparkling as a fire fly, though I be, but a dross of a

BLUE BOTTLE.

Kishnaghur, June 5.

[*Burk. June 10.*]

* We shall always be happy to hear from our correspondent and advocate, to the best of our ability, the cause of the Planters. — Ed.

To the Editor of the Bengal Hurkaru.

Sir,— You headed a letter of mine the other day, Good Advice to Planters. It was written to meet a particular case and might have been good pro tanto, but it would be very bad advice if it induced them to adopt a circuitous course for the sake of bringing their case before the Magistrate, when the Civil and Revenue Regulations enable them to obtain a much more direct hold upon the ryot before the Collector or in the Civil Court.

Your first correspondent S., was dissatisfied because the Magistrate would not attach his land. If attachment was his object, why did he apply to the Magistrate? Was he ignorant of the prescribed course; or did he cherish some latent hope of obtaining some order which would enable him not only to attach, but to sow? At any rate if advice will preserve him from the repetition of a similar error, we will point out the law to him, if you will take the trouble to transcribe the regulations quoted, you would render the advice more authoritative. An application under clauses 1st and 2d. Section 5th, Regulation 6th, 1823, would, by the provisions of Section 6, of the same Regulation, and Regulation 8th of 1831, be cognizable by the collector, who could have attached the land under Section 3d, and have passed a summary decree for the amount of advances actually made, with interest and the cost of suit.

The amount of this decree might be realised from the crops sown instead of the indigo.

Clause 3d, Section 5th, Regulation VI. 1823.
2d, V. 1830.
X. 1836.

would afford a remedy in the Civil Court for the full amount of damages, both against the ryot and the talookdar, of whose machinations I complained.

The inspection of these laws will satisfy any impartial person, that the planter is fully protected against loss, and deprive him of all excuse for taking the law into his own hands.

Φερών.

Vide Marshman's Revenue Regulations, vol. 2d, p. 271.

* 44. In cases in which a ryot who may have received advances and entered into written agreements for the cultivation and delivery of Indigo plant in the manner indicated in this Regulation, shall have failed to cultivate the ground specified, or having

cultivated it, shall have failed or refused to complete his engagement, or shall have sold, made away with, or transferred the produce to another person, the party with whom such agreement was first made, shall be at liberty to institute, at his option, either a summary or a regular suit—Reg. VI. 1823, Sect. 5, Cl. 1.

“ 45. If the summary process be adopted, and the case be decided in favour of the plaintiff, the defendant shall be subjected to the payment of the amount of the advances actually received by him, with interest on the same, and the costs of the summary process.—Reg. VI. 1823, Sect. 5 Cl. 2.

“ 46. If the plaintiff should prefer to seek his remedy by a regular suit, the case will be tried and decided, under the principles of the general Regulations; provided however, that where a ryot shall have voluntarily executed a deed of engagement, stipulating to cultivate Indigo plant on a specified portion of land, and to deliver the produce or such land to one individual, and shall have subsequently sold and delivered such produce to another, the aggrieved party shall be at liberty to prosecute the ryot and the individual to whom such produce was sold or delivered conjointly, and if it be established, that the individual receiving the produce was at the time aware of the prior engagement, such individual and the ryot who shall be jointly and severally held answerable for the full amount of the penalty specified in the original agreement, together with all costs and expences of the suit.—Reg. V. 1823, Sect. 5, Cl. 3.

“ 48 Summary investigations, under this Regulation, shall be conducted according to the form and in the manner prescribed for the conduct of summary suits for arrear of rent. They shall either be tried by the judge, or be referred to the collector of the district, or to the registrar. In cases referred to the Collector, that officer (as well as the registrar,) shall pass a decision on them, instead of sending them back to the judge with a report, and there shall be no appeal from any summary decision passed by those officers respectively, if regularly made and in a matter duly cognizable under this Regulation. It shall nevertheless be competent to any person whose claim under a deed of engagement for the cultivation and delivery of Indigo plant may have been set aside by a summary award, or who may be otherwise dissatisfied with the decision passed on a summary investigation under the foregoing provisions, to institute a regular suit for the recovery of the penalty stipulated in the deed of engagement;

or for the establishment of any other claim or interest to which he may deem himself entitled.—Reg VI. 1823, Sect. 6.

“ 53. In addition to the rule described in Clause 3, Section 5, Regulation VI. 1823, it is hereby declared, that in cases in which a ryot, who shall have voluntarily executed a deed of engagement, stipulating to cultivate Indigo plant, on a specified portion of land, and to deliver the produce of such land to one individual, shall have been instigated and induced by another person to evade the performance of its conditions, it shall be competent to the party injured thereby, to prosecute such person for his undue interference as well as the defaulting ryot, on proof of which, to the satisfaction of the Court trying the case, the said person and the ryot shall be jointly and severally held answerable for the full amount of the penalty specified in the original agreement of the ryot, together with all costs and expences of the suit.—Reg. V. 1830. Sect 2.

“ 54. It is hereby further provided, that all persons who may have received advances and have entered into written agreements for the cultivation of Indigo plant in the manner indicated in Regulation VI. 1823, and who, without good and sufficient cause, shall wilfully neglect or refuse to sow or cultivate the ground specified in such agreements, shall be deemed guilty of a misdemeanor, and on conviction before a Magistrate or Joint Magistrate, shall be liable to a sentence or imprisonment not exceeding one month. The Magistrate or Joint Magistrate may likewise require the person so convicted to sow or cultivate the ground specified, if it shall appear just and proper to require the same and any subsequent convictions of wilful neglect or refusal to comply with the requisition shall be punishable with a further sentence of imprisonment not exceeding two months.—Reg. V. 1830 Sects 3.”—*Hurk. June 10.*

To the Editor of the Bengal Hurkaru.

Sir,—I perused with much interest, the letters of S. and Φερων in re Indigo Planter versus the contract-breaking ryot. With reference to the illustration of your latter correspondent, may I be permitted to ask, Mr. Editor, how the legislature at home would treat the subject, if all the tailors in the kingdom, having taken orders and cash in advance, simultaneously, proceeded to shuffle their engagements? Money suckers under false pretences—swindlers! assuredly, would be the public hue and cry, from Land's-end to John O'Groat's.

But, the supposition is ridiculous. There, then, the default in question is the exception. Here, it is fast approaching to a general rule.

I know not how S.'s caboose is drawn out; but, very many which have passed my review do stipulate for defined land, exhibiting on their reverse, a boundary of the fields engaged.

The Planters are certainly beholden to *Phar* for his suggestion of securing the ryot's land by pottah. Yet, I greatly fear, that its adoption would, for the most part, only serve to complicate existing relations. The ryot is daily developing and maturing his system of combination, and of evasion of his agreements with the planter, finding these tactics to answer his purpose so agreeably. Who, among us, that does not close his eyes to passing occurrences, can reasonably doubt, that he would equally abjure the cultivation of the pottah-lands? The Planter would probably find a dispersed, very unpromising neezhad, or home cultivation thrown upon his hands, for the rent of which (under sum-

mary process) however, he would be clearly liable. The ryot might not dispute with him possession of the land, by brute force, or by instigation of cross claims, collusion, and the thousand and one subtleties of native pleading—their usufruct, at another's cost, as most convenient grazing plains for his cattle, might influence him "to bear and to forbear," with regard to the greater portion at least, of his lease-conceded fields; but, the *mihî bono*? of the conclusion—remains a quid for the luckless planter.

A word more, Mr. Editor. The talookdars, or landlords, who abet the rapidly growing scheme of ryotty confederacy and evasion of indigo contracts, would do well to reflect betimes, that the engine which they are assisting to raise, and point against others, may recoil, at no distant period, with fearful effect on their own heads.

I am, Mr. Editor, yours obediently,

A PLANTER.

Mofussil, June 14, 1841.—*Hurk.* June 24.

THE GREAT PURNEAH CASE.

To the Editor of the *Bengal Hurkaru*.

SIR,—As yesterday you misrepresented my case in your Report, so in this day's Notice to Correspondents, you have misrepresented the contents of my letter.* That letter, so far from being long, is only about twice the length of your notice. If not affected strongly by such doings as those complained of,—I should not suffer the injustice and oppression done to me,—I should be greeted as a brother by those who despoil me of my rights,—and should be invited to join them in despoiling others, and in oppressing and destroying such as endeavour to oppose and to expose their dark doings.

2. I am old enough to remember how strongly you complained of the doings in the Supreme Court, in the case between you and Dr. Brice. Admitting all your said complaints to have been perfectly correct, even then the injustice which you suffered was not a tenth part as great as what I have suffered. And if it were right in you to inform the public of the injustices done to you, is it not your

duty, as the proprietor and Editor of a newspaper, to inform the public of much greater injustice done to any other British subject?† And especially is it not your duty to refrain from yourself adding to the said injustice? You, having misrepresented my case and my conduct, I write the following statement to show the nature of both—as far as is requisite to remove any undue impression produced by your misrepresentation.

3. In consequence of litigation between the sons of the late Radhamohun Bonnerjee, the Supreme Court, on the 30th October, 1820, (more than twenty years ago) ordered a large sum of my money to be paid into Court; the said money was transferred to me by Bhya Jha; and by me in 1815, 1816, was placed in the said Radhamohun Bonnerjee's keeping—to abide the result of a then pending appeal to the Privy Council. As the Bonnerjees and other sureties, in addition to the money received by them in the said years,

* Mr. Reed is obviously alluding to some transaction that occurred anterior to the time when the present conductors assumed charge of the paper.—Ed.

† Mr. Reed's case has been fully exposed in this journal; but we cannot go on, day after day, publishing long statements of the affair without seriously injuring ourselves. Our Subscribers have often remonstrated with us on the subject.—Ed.

were to receive and hold, pending the said appeal, all such money as would be receivable by Bhya Jha (both what he retained for himself and to what he transferred to me) under the decree obtained from the Sudder Dewanee Adalut, (July 27th, 1812), it was stipulated in our agreements with the sureties, that pending the said appeal they should pay to us monthly, the sum of 1,500 Sicca Rupees, of which sum Radhamohun Bonnerjee, and his heirs, were to pay monthly 900 rupees: this 1,500 rupees monthly was all that Bhya Jha and myself reserved pending the said appeal,—for the support of ourselves and families and for prosecuting his cause both here and in England.

4. In the said proceeding of October 30th 1820, it is ordered—"that the said receiver or accountant general of this Honorable court for the time being, do not make any payments out of the said Bhya Jha's fund," &c, &c. "save and except the monthly sum of Sicca Rupees nine hundred payable to Mr. Charles Reed under and by virtue of the several agreements entered into respecting the same fund," &c., &c.—"which said monthly payment of Sicca Rupees nine hundred to the said Charles Reed, to commence from the date of the last payment made to him by the said Omachurn Bonnerjee," &c. &c. The said monthly payments were to commence on the first day of January, 1823 Omachurn having paid me to the end of 1822; whereas to the present day I have not received a single rupee; but I have been made to expend large sums of money in endeavouring to obtain my said property, and otherwise have been made to suffer so severely that I am indebted for preservation alone to our All Merciful God!

5. The part of said order above quoted was concealed from me until August, 1834, when I became acquainted with it by mere accident: from that time, to the present day, I have in vain endeavoured to obtain the said money, and a much larger sum due to me from the said Bonnerjees, whose estate is placed in the hands of the Supreme Court's receiver.—The said order respecting my money, was passed—behind my back,—without my knowledge,—without notice having been served on me.—Had I been duly apprised of the said order, notwithstanding the dishonest conduct of agents and of other persons to whom I lent money,—I certainly would have gone to England early in 1822, in the course of one or two years

Sreenarayn's appeal would have terminated so as to make all Bhya Jha's surviving connections, including myself, as happy as affluence can make men;—and, not only much suffering and injustice, but much wickedness would have been prevented!

6 From the time the Sudder's decree was obtained (July 27th, 1812,) I endeavoured, but ineffectually, to put an end to litigation: in 1830, I intended to make a last effort in the Sudder Dewanee Adalut and determined, in case of not succeeding, immediately to proceed to England—to terminate the said appeal. Wishing Raja Berje Govind Sing, Bhya Jha's only son, to be present on the occasion, I caused him to come down to Calcutta; and, I am satisfied that but for what is here next mentioned, all things would have proceeded according to my wishes. It was understood that six lacks of rupees or upwards, Bhya Jha's share of zemindaree profits, were deposited in the public treasuries: to obtain and make away with the said large sum of money, the Raja was separated from me by most untoward means; between three and four lacks of the said money were obtained and made away with; and, I was informed, by the Government agent, that had a certain house of agency been able to keep its doors open one day longer, about a lack and a half of rupees more would have been obtained; and it would have shared the same fate with the abovementioned larger sum.

7. By accident (as before mentioned) I, in August, 1834, became acquainted with the Supreme Court's said order of October 30th, 1820. This discovery necessarily strongly affected me: by the said order being concealed from me, I not only then had been detained in India upwards of twelve years, and been made to suffer very great loss, but moreover, the existence of myself and family had thereby been exposed to undue risk, and the due care and education of my children was prevented—was rendered morally impossible! This discovery being made, I immediately applied for the money then due to me under the Court's said order; but as the safety of the men who procured the said large amount of zemindaree profit depended on my continuing in distress, so as to be unable to call them to account, they, in order to withhold from me my said money, resorted to the wicked means part whereof are shortly mentioned below!

† A copy of the whole of the Court's order on this subject is sent to you.

8. It has been stated that my money, which Radha Mohun Bonnerjee received in 1815-16,

was transferred and made over to me by Bhya Jha by a regular deed of assignment, in addition to this assignment, the said transfer was recited and confirmed by Bhya Jha in the deed of agreement executed between us and the sureties on the 13th of October, 1814, which last mentioned deed distinctly states, that the said money is wholly mine, that the sureties receive it as such, and that they are to account for the same to me and to my heirs, and to us alone. This my right also was declared by Bhya Jha, in a deed which he executed in January 18th 1813, and had registered in the Zillah Court of Poonna; and the said transfer of property and appointment to act on his behalf, and that of his heirs, may be said to have been confirmed and repeated by him on his death-bed and with his last breath!

9. The said deed of January 18th, 1813, after full investigation, was confirmed by the Sudder Deewanny Adalut on the 8th of September, 1817; during the said investigation, the said deed and transfer were, in the strongest terms, acknowledged and declared to be valid by Bhya Jha's widow, mother and only brother, the three guardians of his infant son; and that son (Rajah Beeje Govind Sing) after he came of age, acknowledged and confirmed the said deed and transfer in terms equally strong before the Sudder Deewanee Adalut and the Sudder Board of Revenue.

10. A person not acquainted with what is done in the Supreme Court, would necessarily conclude that, under the abovementioned circumstances, no man or men would dare to oppose, in Beejee Govind Sing's name, my application for the said money. But men do exist who in his name, directly contrary to all the solemn declarations of his father, his guardians and of himself, opposed my said application, who, in his name, asserted that the said money was his, the Raja's, rightful property, who falsely charged me with fraudulent conduct; and who, by these wicked means, prevented me from receiving the said money, and caused me to suffer distress and inquietude, for which no earthly power can afford any thing like an adequate recompense!

11. Iniquitous, harassing and expensive proceedings were carried on against me during several years in the Raja's name; at length late in 1837, it was generally declared in the Supreme Court (as repeatedly before had been done,) that now I must receive the said money. This declaration was founded on a report prepared by the court's Master, which report was filed in court,

March 23d, 1838, and after extraordinary delays was confirmed November 15th, 1838. But strong as is the said report in my favour, hitherto it has had no other effect than to despoil me of more money and to increase my sufferings!

12. During the investigation made by the Master, Beeje Govind Sing being in Calcutta,* he, notwithstanding the wicked endeavours of the said gang, acknowledged before the Master (by his attorney) the validity of his father's said assignment to me, and of the two deeds which declared the money in court to be my money, under which deeds the Bonnerjees held the said money and according to which the court's said order of October 30th, 1820, was passed. With this repeated acknowledgement, made at an investigation ordered by the court, it might be presumed, that even in one of the Barbary States, the said money would not longer have been withholden from me; but here things are differently managed: in order to oppose what should be the necessary effect of this admission, the most audaciously wicked measures were resorted to, and hitherto they have produced the intended wicked effect.

13. The Master's said report, dated and filed, March 23d, 1838, states, that the money mentioned by you now to be rupees 1,82,100 less rupees 638, is certainly and clearly my money; and that, including the said sum, there is due to me from Radah Mohun Bonnerjee's estate, on the footing of a just account, the sum of Sicca Rupees 21,98,037-3-11 pie. This report, after being long most unjustly opposed and made to stand over, was confirmed by the court on the 15th of November, 1838; yet as already stated, I have not received a single rupee thereof; my money continues withholden from me, in consequence of opposition made in the name of Raja Beeje Govind Sing who, (as above mentioned,) has, in effect, solemnly acknowledged and declared before the three superior judicial authorities in the country, (the Sudder Deewanee Adalut, the Supreme Court and the Sudder Board of Revenue,) that the said money is my property, and that he has no right whatever thereto!

14. The master's report being confirmed, whereby in addition to the money in the Court, I was entitled to receive from the Bonnerjee's estate upwards of 23 lakhs of rupees, (their property to the amount of several

* He resided near Kidderpoor, and frequently was with his attorney Mr. George Higgins, in old Post Office Street.

ral lacks of rupees, being in the Court's hands,) in order to prevent my receiving the said money or any part of the produce of the said other property, a bill in the Raja's name was filed against me, and an appeal to the Privy Counsel was filed against the orders passed by the Supreme Court in my behalf, the said bill and appeal declaring, that the said deeds executed, acknowledged and confirmed as is above stated, were fraudulent, obtained and are illegal, and that, consequently, all the said money adjudged to be my property belongs to Raja Beeje Govind Sing. All this is done while the said Raja continues solemnly to declare that the said money is mine, and that neither he nor his heirs have any right thereto ! And these monstrous, these almost incredible wicked proceedings, hitherto have been practiced with perfect impunity !

15. By these wicked means I was compelled, in order to preserve myself and family from ruin, to sue the said Raja, by filing what is called a cross bill. This bill was filed November,---1839. Raja having in effect repeatedly solemnly admitted (as above mentioned) my right to all I claim ; he on learning the contents of my bill, became much alarmed :---he declared that he did not authorise the proceedings carried on in his name against me in the Supreme Court ; that he was indebted to me for all he possessed ; that he considered me as his father ; that his estrangement from me was effected by the crafty measures of bad men ; but now his eyes are opened ; that he hoped I would forgive him as a father forgives his son ; and in future would act for him as formerly I acted for him and his father ; and, in order to settle all differences between us, he sent three men to Calcutta, declaring that fear of the said bad men (who separated him from me) prevented his coming down.

16. The said three men came to Calcutta in January last ; and I, notwithstanding Raja Beeje Govind Sing's long continued bad conduct towards me, granted all that he asked for ; among other things I agreed to give up my undoubted right to upwards of FIFTY LACKS OF RUPEES made over to me by his father. The Raja and his mother both wrote to me, the latter in an affectionate manner ; and all differences would have been settled between us, but for the continued machinations of the said bad men ; fear of whom prevented the Raja from coming to Calcutta. To give even a concise account of the said machinations would, in my opinion, double the length of this letter, already

longer than I desire ; moreover, that account is not required on the present occasion.

17. Whilst the said measures were adopted against me in the Supreme Courts, Bliya Jha's case was, (and yet is,) regularly before the Sudder Dewanee Adalat ; had the Raja disputed my claim, the Sudder Court necessarily must have decided, whether the money claimed by me was my right or the right of the Raja. This very case was heard February 27th, 1840, when the Sudder Dewanee Adalat, in order finally to ascertain and effectually to prevent the artifices of lawyers and other corruptly inclined persons, notwithstanding all the above mentioned admissions, declarations, acknowledgements and confirmations of the Raja and of the Court, *determined again to take his solemn declaration on the subject ; and, learning that he was at home in Poorena, the Judge of that Zillah was ordered to cause him to attend in court, and to take his declaration.*

18. At the said hearing, the Raja, through his mokhtorkar, Dumur Sing, presented a petition to the Sudder Court, stating.—In virtue of my father's and my deeds the whole of the personal property left by the Ranees and the profits of her estate from the time of her death until the end of Saon, 1220 Moulkee—August 15th, 1812 are the right of Mr. Charles Reed, and I do not make any objection whatsoever thereto. This declaration, made in the face of all that had been done and was doing in the Supreme Court, in the Raja's name, caused the Sudder Court to issue the above mentioned order to the Zilla Judge.—The Raja attended before the Zilla Judge on the 4th of April last ; and then, *after reading the said petition, solemnly declared "my mokhtarkar presented the said petition to the Sudder by my authority."* This fact is recorded in the Zilla Court's proceedings of April 6th, 1840.

19. *This declaration wholly satisfied all the allegations contained in the said bill, and the said appeal filed against me in the Raja's name. The Raja in effect declared, that all the proceedings had against me in his name, were contrary to his will, and consequently were most iniquitous ; he solemnly declared that all the money hereof the said bill and appeal attempted to deprive me, is my undoubted, absolute property, and that he has no right whatsoever thereto ; yet the said bill and appeal continue in force ; and in order to oppose the said conclusive evidence given and recorded in court, a private writing, said to bear the Raja's signature, was produced by the said bad men, and hitherto*

the said bare device *has been suffered* to produce the intended wicked effect! The conduct of my Counsel on the last mentioned occasion need not be stated here, but it shall be duly exposed.

20. At length, seeing no prospect of obtaining justice, in order to escape from the wicked litigation carried on against me in the Raja's name, and thereby to *preserve* my life, and, if possible—to do yet more than preserve the lives of my family, I, May 4th, 1840, executed a power to Mr. T. C. Morton (*who by Mr. Higgins, the Raja's attorney, was proposed as sole trustee,*) which provided for all that was to be done. But this document, *proposed on behalf of the Raja and most advantageous to him*, was objected to;— legal proceedings in the Supreme Court were renewed;— and, in Court, July 25th, 1840, *much against my will and most injuriously to me*, the said compromise was agreed to.

21. The most injurious part of the proceedings had against me in the Raja's name, was the said appeal to the Privy Council, whereby I was prevented from receiving the rupees 1,82,100, and from obtaining the benefit of the Master's confirmed report for me to receive rupees 21,98,037 (including the said rupees 1,82,100) from the Bonorjee's estate. It was agreed, as stated in the power, that "the said appeal shall be dismissed within *one week* from and after the execution of this present power of attorney." The Court's order of July 25th, 1840, states, that *the said power* "shall be adopted as the basis of a compromise and settlement of all disputes in these suits, between the said Charles Read and the said Raja Beeje Gorind Sing." *But for this stipulation* I would not have assented to what the Court advised; yet the power, *which I was compelled to execute*, is so expressed that the appeal remains undismissed.—I have been compelled—to sign away my undoubted right to upwards of fifty lacks of rupees, to place the said 1,82,100 rupees in jeopardy,—and in consequence, I and my family are exposed to the risk of perishing through want!

22. It has been stated that the money in the Supreme Court (in 5 and 4 per cent Company's paper) was rupees 1,82,100, less rupees 688, paid by Mr. Corton on receiving the Company's paper. The first of my money was paid in to Court on or about April, 3d, 1821, when according to the account prepared by the Master and confirmed by the Court, the Bonorjees held of my money, about rupees 2,6,000; *consequently that sum should THEN have been paid into Court*. Had this last mentioned sum been so paid, it would amount

at this time, with the accumulation of Government interest, to about 6,30,000 rupees; which last mentioned amount should have been paid to me in 1834, or two months' after notice obtained of the termination of the appeal to England.

23. This would be the produce of my absolute money, which now should be forthcoming; but in addition to this money, the Bonorjees received other large sums of *unimpaired* profits, the whole whereof should be forthcoming, and be subject to my claim: the total amount forthcoming at this day should be about 19,00,000 *vicca* rupees, in place whereof the sum mentioned by you in your paper of the 19th inst., (1,84,412,) Rs. is all that can be accounted for! It was the duty of the court's different receivers to have received the said money (was it not the duty of the Judges to see that the money was received.) When Mr. Elliot Macnaghten, the court's receiver, was about to leave India, I applied to the Judges on this subject; but to my knowledge, no notice was taken of my application. What is to be done in this case? Will the British authorities, will the British people suffer me and my children to be dispossessed of this money?

24. Now, Sir, however great the injustice you suffered in the case of Dr. Bryce, I presume it cannot be reckoned to equal a tenth part of the injustice done to me: according to my memory you did not suffer from treachery, nor was your money withheld from you by a court, the Judges of which had sworn, that they will "impartially administer justice in every cause, matter, or thing, which shall come before them;" and if the public good required a publication of the injustice done to you, it must require the same measure to be adopted in my case. Hitherto ~~my~~ my life has been preserved; but I and my family have been obliged to exist in a state of the greatest distress; the extent of my sufferings cannot be conceived by any person who has not been somewhat similarly oppressed; among other things, I have lost a dear child, who could not have perished as she did perish, had I possessed such means for preserving her as a hundredth part of my rights would have supplied me with!

25. If you be a father and have lost a child under similar circumstances,—you will regret your conduct in my case;— you will publish this and my former letter; and will exert yourself—duly to expose the injustice which has been done to me;— this you will do in order to prevent a continuance of that injustice,— and, as far as possi-

ble, to prevent similar doings being committed against any other human being!

Yours obediently

CHARLES REED.

December, 11 1840.

N. B.—My letter of December 9th, was written early in the morning, immediately on reading your report, before I washed or did any other thing: it was the work of 30 or 40 minutes. The above (the draft) was written after an early breakfast, and kept me close and hard at work until about 30 after noon; that is, during about four hours and a half: my said performance contained many blanks for dates and words of reference, which blanks, excepting three or four that required some search, were filled up on the following day or two; but much as I desired, during the whole intervening time, to despatch this letter, circumstanced as I am, its length deterred me from doing that; and from time to time it was looked out to be despatched, but was not ready—at length this morning I determined to perform the task; I attentively read the whole, not to amend but to see that all was correctly stated, and searched out such papers as were required to fill the remaining blanks, an object which was not performed in less than three or four hours.

What could more clearly manifest the state of distress and impotence, to which I am reduced by injustice and oppression, than the fact of this letter having remained before me more than four months and a half without being despatched? When first informed of your intended journey to Dajpooting, I called on you and mentioned this letter; then had you not told me that you intended to depart on the morrow, the letter would have been sent to you in the course of that morrow. I much regret and strongly complain of the conduct which constrained me so to labour on the 9th and 11th of December; nor is this the first instance of my having so suffered: you are not likely to have forgotten your report of the case of Gurree Purgunnu, nor what occurred after I was driven to print a true report of the said case in a pamphlet: hereafter more may be said on that subject and on my letters to Mr. Pearson, the late Advocate-General.

April 29th, 1841.

C. REED.

Hark. May 5.

To the Editor of the *Bengal Hurkaru*.

DEAR SIR,—So many *ex parte* statements have been put forward on the subject of the **PUNNEAH CASE**, and the alleged wrongs of Mr. C. Reed have been so eloquently despatched upon by your morning cotemporary, that I think it high time a word or two should be said by one, who, like myself, is utterly disinterested.

The Englishman has made this case a peg-whoreon to hang strictures upon the administration of justice in this country, both in the *Mofussil Adawlut* and in the Supreme and Sudder Courts of Judicature. He is most unfortunate in his charges. By far the chief delay has taken place in Her Majesty's Privy Council in England.

The Sudder Court, passed their degree in *Bhya Jha's* case in the year 1812!

No very extraordinary delay had taken place then. The case was a difficult and most important one, involving crores; (at this time, be it observed there was no claim of Mr. Reed's before the Court,—he was merely the *Mooktear* of *Bhya Jha*)—the cause had passed through three Courts—the *Zillah Court* of *Poonneh*, the provincial Court of Appeal at *Moorshedabad*, and the Sudder *Dewanny Adawlut* of *Calcutta*.

The cause had thus occupied about seven years in passing through these three distinct Courts—no very enormous delay, considering the magnitude of the interests at stake, the difficulty of the questions involved and the wealth and power of *Bhya Jha's* opponents, who fought every point inch by inch.

The cause was appealed to England, and the Privy Council pronounced their final decision in 1838! some twenty six years after the Sudder's decision!! This prodigious delay may, perhaps, be partly accounted for by various circumstances.—the pendency of negotiations, the death of the original appellant, *Steennarayan*, and the infancy of his heirs—circumstances which induced the Privy Council to restore the appeal, and allow a re-hearing after it had been once dismissed. But the delay in England, allowing for every circumstance, was monstrous, and I believe this very case was the chief cause of the recent regulations introduced into the Privy Council, which render it almost impossible that one-tithe of the delay can again occur.

But, Sir, I am not defending the Privy Council. Let the British India Society deal with that tribunal as they please. I heartily wish they would sweep it away altogether.

Now turn we to the alleged delays in the Supreme Court.

The chief delay arose from the circumstance of Mr. Reed having been in ignorance for fourteen years of an order passed in his favour! Is the Court, Sir, to be blamed for that? Mr. Reed, indeed, would have the world believe that all the Judges, Barristers, Officers and Attornies of the Court were in league together to keep him in ignorance of the order! With such ridiculous suppositions I do not affect to deal.

And now, Sir, a word or two touching the merits of Mr. Reed's various claims.

Your cotemporary professes to have gone minutely into the facts of the case, and yet he represents Mr. Charles Reed as a man despoiled of his property. Readers ignorant of the real nature and origin of the claim would be led to believe, from the expressions which he uses, that Mr. Reed was in former days, a man of enormous wealth, which he was suddenly stripped of by rogues, and which he has spent two-thirds of a life in recovering!

It is not so. The whole of the enormous property in litigation was property claimed by Bhya Jha, whose cause was undertaken, upon spec., by Mr. Charles Reed, and the late Dr. Archibald Campbell Clunes, nether of whom were otherwise interested in a rupee of it. Bhya Jha executed deeds to these gentlemen jointly, making over (originally) the whole of his personal property, in futuro. After the death of Dr. Clunes, new arrangements, into the details of which it is unnecessary to enter, were effected with Bhya Jha by Mr. Reed,—suffice it to say, that every rupee of the money now claimed by Mr. Reed, either in the Supreme or Sudder Court, amounting at present, I believe, to somewhere about FIFTY LAKHS, is founded upon these agreements and arrangements with Bhya Jha!

Now, Sir, I do not think this the most likely case in the world (as far at least as Mr. Reed's claims are concerned) to excite the deep commiseration and sympathy, which the Englishman expects from the British public. By English law, and between British subjects, the whole contract would have been utterly void! I do not, by any means, consider the English law of champerty and maintenance, either just or judicious; but even if no such law existed, a claim to such a vast amount for services so disproportionate, has no very extraordinary merits to support it!

But further, there is one matter of which the Englishman himself, I believe, and the public, I am sure, are ignorant. From the expressions used by your cotemporary, one would think that Mr. Reed had never recovered or received a rupee, yet the truth is (as he cannot pretend to deny) that Mr. Charles Reed received in the year 1819 the sum of BETWEEN SEVEN AND EIGHT LAKHS OF SICCA RUPEES. Out of this sum he returned two lakhs to the Ghosauls (Bhya Jha's sureties) and pocketted the remainder,—amounting to upwards of Sa. Rs. 5,00,000!

Now, Sir, considering that Mr. Charles Reed was originally of but humble fortune—that the whole advances he made in Bhya Jha's cause did not exceed at the utmost a few thousand rupees—(the chief expenses having been paid by Dr. Clunes) I cannot help thinking that between fifty and sixty thousand pounds sterling amount to a tolerably handsome fee for his services as Bhya Jha's mooktear! and that he can scarcely be deemed the deeply injured and oppressed victim which the Englishman would represent him, even if he were not to obtain the whole of the HALF MILLION STERLING which he still claims!!

I have very little more to trouble you with. I took up my pen chiefly to meet the highly coloured statements and comments of the Englishman upon the alleged wrongs of his protegee; but my letter threatens to vie in length with one of "Mr. Reed's own."

The opinion of an anonymous correspondent (not anonymous to you, however,) is of little value to the public;—nevertheless I will give you mine.

I believe that Mr. Reed is legally entitled (what ever may be the moral merits of his case) to a considerable portion even of the enormous sum at which I have stated his residuary claim; I also believe that he would have received it long ago, or at least as much of it as there exist assets to meet, if he had only allowed his cause to be conducted by his legal advisers without harassing and shackling them by his eternal interference. I could name six or eight leading council of the Supreme Court, and three or four most respectable attornies, who have engaged successively in his cause and who have been utterly wearied and disgusted with his ungrateful return for their honest and zealous exertions. Every temporary failure is immediately attributed by him to design and treachery, and many a friend has he converted into an enemy, simply because he would persia

in regarding him in no other light. This is no doubt a sort of monomania, and to a certain extent as much deserving of pity as censure. I certainly do not wish to speak harshly of his failings. I firmly believe him to be honest after his own fashion, and to have (among other redeeming qualities) a strict regard for truth;—but his extraordinary violence and acerbity of temper, which lead him so grossly and bitterly to malign his most zealous and disinterested friends, nothing but semi-insanity can excuse.

Probably this very letter will draw forth a tirade. The universality of his abuse, however, renders it nearly harmless; and though he may differ from me in the opinions which I have expressed, I think his love of truth will induce him to admit that no fact relating to his case has been stated incorrectly.

Yours faithfully,

DISINTERESTED.

7th May 1841.]

[Hurk. May 8

To the Editor of the Bengal Hurkaru.

SIR.—If my memory be correct, you (also other editors of the Calcutta press) repeatedly have assured the public that you will not admit any letter containing assertions injurious to the character of one or more individuals, unless the writer of the said letter affix his name thereto. If I be right in presuming that natural justice requires an observance of the said rule, it will rest with you to state why you violated the rule in the case of the letter contained in to-day's *Hurkaru* signed DISINTERESTED.

The said writer gives me credit—for loving truth, he declares that I “have a strict regard to truth.” Whoever he be, I regret that I cannot say so much for him; so far from no fact of my case being incorrectly stated by him,* many of the most material facts are stated not only incorrectly but grossly so; this shall be made to appear in my reply to the said letter; and, I trust, that his reasoning is as falacious as his statement of facts is incorrect.

* The object of your correspondent is manifest; but the people of England are not to be so deceived; they will hear the particulars of the case and judge for themselves;—their opinion of the worthy endeavours of the

• Your correspondent writes—“I think his love of truth will induce him to admit that no fact relating to his case has been stated incorrectly.”

editor of the *Englishman* will not be injuriously affected by your correspondent's unfounded assumptions.

Yours obediently,

CHARLES REED.

Calcutta, May 8, 1841.

☞ The Editor of a public journal requires, for his own protection, the name of his correspondents to be communicated whenever letters addressed to him in his editorial capacity, involve individual charges; but it certainly is not in every case, that the editor feels himself called upon to publish the name. The letter of our correspondent, DISINTERESTED, was authenticated by the communication of his name. No part of it appeared to us to be written in a hostile spirit, and the worst “assertion injurious to character” contained in it ascribes faults of temper only. With respect to the alleged inaccuracies as to matters of fact, we shall, of course, be happy to publish any correction of them, which Mr. Reed may wish to put forward.—ED. HURK.

Since the above was in type, we have received the following:—

To the Editor of the Bengal Hurkaru.

• SIR,—Please to place what follows, under my letter which yesterday was sent to your office.

Yours obediently

CHARLES REED.

P. S. May 9th.—Yesterday, before writing my notice of the letter signed DISINTERESTED, I saw several gentlemen who, all considered the said letter to be written by AN ENEMY; their general opinion confirmed, for a time, the impression made on me by reading the said letter, and I wrote accordingly; but subsequent reflection has caused me to think, it is at least possible, that the writer of the said letter is not AN ENEMY! and, if this last formed opinion continue, I will act according thereto.

C. REED.

Hurk. May 10.

To the Editor of the Bengal Hurkaru.

SIR,—After addressing you on the 8th instant, the contents of the letter signed DISINTERESTED necessarily dwelt on my mind,

The said contents, taken literally, manifest so great a disregard of truth and such base intentions, that Christian charity caused me to think, the production might be ironical; that the writer, by irony, might intend to indicate the iniquity and absurdity of pretexts advanced for dispoiling me of my property:—wherefore I considered it right to send you my postscript of the 9th instant.

So, thinking, I was employed great part of Monday and Tuesday, in writing an abstract of my case, that it might enable me to shew, by reference, how aptly and strongly D's letter will apply ironically to indicate as above mentioned; but living as part of my task, made an abstract of the said letter, and two days having elapsed since the publication of my P. S. of the ninth instant, without any explanation being afforded, I was compelled to consider the production to be— a vile attempt to injure me, the injury to be effected—by misrepresenting the purpose of all who have openly advocated my cause, particularly the Editor of the *Englishman*, because he has determined so to treat the case as to ensure the assistance of the British and other India Associations, if not of the whole British nation;—by grossly misrepresenting the particulars of the case, in order, thereby to counteract the effect which the publications in the *Englishman* (particularly of my letter printed in the *Hurkaru* of the 5th instant, and republished with a strong editorial in the *Englishman* on the 7th instant, and other Calcutta papers naturally would produce in England;—by representing me as a monster, and therefore not entitled to be regarded with humanity nor to receive justice.

All doubt as to D's purpose being removed, I have commenced writing a reply—which will show that he has not only misrepresented facts, but that he ascribes to me what is much worse than "faults of temper"

Yours obediently

May 12, 1841.

CHARLES REED.

✂ We shall leave DISINTERESTED to speak for himself, as we suppose he will do whenever Mr. Reed's letter makes its appearance.

* The whole contents of the said letter make it so manifest that the writer is deeply interested in the case, the henceforth I will call him not DISINTERESTED but D.

ance, shewing up the "misrepresentations of facts," "great disregard of truth" and "base intentions" with which unhappy D. stands charged!—ED.

To the Editor of the *Bengal Hurkaru*.

SIR,—It is a great misfortune that an interested party should mislead the public, by publishing an *ex parte* statement of his alleged wrongs and that when an unbiassed person should attempt to put the public right, by a contrary statement of the facts, he should be publicly called "an ENEMY," by the party making the charge. Such is the case of Mr. Charles Reed, who, whatever his "love of truth" may be, is not the most conciliating person in Her Majesty's dominions, as is well known to all who have the unhappiness to be connected with him.

I know not the gentleman whose letter appeared in your paper of the 8th instant, under the signature of DISINTERESTED; but, if his statement of the facts of the above case be correct, I have a grave charge to make against Mr. Reed, which statement he ought to have noticed immediately after the publication of it in DISINTERESTED's letter.

DISINTERESTED says, that about the year 1819, Mr. Reed pocketed Sa. Rs. 5,00,000 for his services as Bhya Jha's mooktear; and Mr. Reed tells us, in his letter to you, which appeared in your paper of the 5th instant, that from the year 1822 "to the present day, he has not received a single rupee; but that he has been made to expend large sums of money, (what! out of Co. Rs. 5,00,000?) in endeavouring to obtain his said property."

What then became of the five laks of rupees he received? If Mr. Reed never received this sum, he ought to have immediately contradicted the report. If he has received the sum, he ought to acquaint the public what has become of it, and how he and his family afterwards came to live in such great distress, as he says they have. When a man wishes to have his individual wrongs pitied by the world, he ought fairly to state his whole case, and not give us a lop-sided view of the subject.

Yours truly,

OBSERVER.

[Our correspondent will see, that we have thought it advisable to omit the rest of his letter.—*Ed.*—*Hurk. May 17.*]

To the Editor of the Bengal Hurkaru.

Sir,—Sometime after Mr. Clunes abandoned Bhya Jha's case, and I was made to perceive, that by prosecuting the case, in addition to great cost, much labour and danger must be endured, I, on being promised pecuniary assistance, notwithstanding the advice and warning of several real and other pretended friends—determined to persevere. I was assured—"It is impossible for you or any private individual to succeed in such an undertaking; the power which will be exerted against you is by far too great; it will crush you;" &c. "You will not be suffered to proceed;" &c. "You will be hunted to death like a mad-dog."

2. I then was aware that all knaves, both such as are known and such as are concealed, would be opposed to me; I also was aware that the cunning of such as artfully conceal their want of moral principle, or otherwise avoid being marked by society, would be by far the most dangerous. As D. and his Assistant remain concealed, it may be difficult to class them; they possibly may be good men though weak or misinformed. But, what right has any man, especially such as are ashamed to act in their own names, to ask me what I have done with my money? Is it not most impertinent to call for such information? If D. and OBSERVER, will come forth from their concealment, it will be known how they stand as to disinterestedness, and if they be in no way connected.

3. I might, and possibly ought, to have declined noticing D. and OBSERVER's letters, and all other letters which do not enter into the merits of the case; but under the circumstances of the case I thought it advisable to reply to D., and to state such particulars as probably in future will check the impertinence of all who are ashamed to act under their own names. When I ask for the pity of any man he shall be informed of what was done with my money; but I desire not pity; I desire justice. I neither do nor ever did desire more than strict justice: how justice has been withholden from me in the Supreme Court during more than eighteen years, sufficiently appears from my letter, published in the Hurkaru on the 5th instant.

4. D. in declaring my "strict regard for truth," by clear implication admits the accuracy of what is stated in my said letter of December 11th 1840; yet he and his assistant, OBSERVER, have not sense enough to remain silent. In what respect have I, or those who advocate my case, misled the public? In what respect has D. corrected a single fact of our statements? As long as the said statements remain unpunished, do they think men will be deceived by their shallow craftiness? If any doubt existed as to the nature of my case, must not such doubt be removed by the attacks of these men? The most pertinent conclusion of the jury who tried the bribery case in 1821, may be aptly applied on the present occasion. Here I do not wish to repeat what is written in reply to D., but as the circumstances of the case induced me to reply to D., so they induced me to take this notice of OBSERVER, and to add what follows:

5. The fact of my having received the money mentioned by D., is stated distinctly in the proceedings of the Sudder Dewanee Adalat and the Supreme Court, and must be known to all in any way connected with the case—either interestedly, or disinterestedly. It also must be known to all such men, that I incurred very great cost—in endeavouring to have Bhya Jha's case tried in the Supreme Court, in producing the evidence which drew forth the Government Resolutions of October 16th 1810, and in prosecuting the bribery case which was tried in the Supreme Court in December 1821,—they also know, that on account of his case in 1819, I was imprisoned about ten months in the Calcutta jail, and was made to pay nearly one lack of rupees before I obtained my liberty,—that I supported Bhya Jha and his connections until late in the year 1812, and that I had to support myself (with English and Persian writers and conveyance for making many journeys from Poorena to Calcutta and from Calcutta to Poorena) until the end of 1819, that is during sixteen years—all this they know, but D.'s purpose required that all the said particulars should be suppressed!

Yours obediently,

CHARLES REED.

Calcutta, May 17, 1841.

Our correspondent asks what right anonymous parties have to comment upon his case, and to ask him for information

* Is it the duty of the Press to publish such anonymous letters as that of OBSERVER?

† My reply was finished last Saturday; I have since been otherwise employed, but the reply shall not long be detained.

upon points connected with it. We answer, the most undoubted right. How far our correspondent may choose to reply to the queries proposed to him or to withhold information, it is entirely for himself to consider. He has made his case a public one—he has called for public support and public sympathy—but it is extravagant to expect that either support or sympathy will be accorded upon more exparte statements. If his case will really bear the test of strict scrutiny, he ought rather to rejoice that it is canvassed by third parties. Their mis-statements let him rectify, and their mis-reasonings refute.

—ED—*Hurk. June 21.*

To the Editor of the Bengal Hurkaru.

SIR,—Mr. Charles Reed is wrong if he supposes that I imagine that “he or those who advocate his cause had misled the public.” All that I said was that he had given a “a lop-sided view of the subject,” which DISINTERESTED clearly shewed in his letter to you of the 7th instant.

With regard to Mr. Reed’s explanation of his expenditure of the five lacks of rupees which he received for his services as BHYA-JHAS muktear, it is far too general to be satisfactory -- which, I hope, he will rectify in his reply to DISINTERESTED’s letter (which he threatens him with by more fully explaining how the account stands, and what has become of the balance. The public have a right to be acquainted with this if Mr. Reed wishes to engage their sympathy for his misfortunes, which, judging from his published letters, I suppose he does.

If I had in the first instance publicly and anonymously questioned Mr. Reed about the particulars of his case, he might, perhaps, have reason for wishing to know my real name; but when he first of all, in his own name, appears in print, enumerating his alleged grievances, I, as an observer, have a right to make my comments and ask questions anonymously from the information I derive from the newspapers. Mr. Reed ought not, therefore, to feel hurt by a simple question or two being put to him regarding his case, which he has publicly written about. I cannot but help smiling at his calling me DISINTERESTED’s assistant, when, as I said before, I had not the honour of knowing that gentleman—not even by sight, that I am aware of.

Yours truly,

OBSERVER

May 21 184, —Hurk June 22.

To the Editor of the Bengal Hurkaru.

DEAR SIR,—I have waited patiently for Mr. CHARLES REED’s long-promised refutation of the “gross misrepresentations” with which my former letter abounded; and as it has come at last, I shall bestow upon it a word of notice.

I do not consider it necessary to do more than merely acknowledge the various complimentary epithets interspersed throughout his present epistle, and the five a vant-couriers which heralded it. A nameless writer ought not to be very thin-skinned, and, in truth, as an anonymous assailant, not indeed of the legal rights of Mr. REED, but of his claims to public support and sympathy, I expected even a rougher handling. I shall neither attempt to defend myself personally, nor to retort upon him, contenting myself with the simple asseveration, whether he chooses to believe or disbelieve it, and whether he sees fit to dub me D. (standing for DEVIL, I presume!) or any other significant title,—that I am in truth and in fact DISINTERESTED.

I stated that I thought Mr. REED would acknowledge, however he might dissent from my inferences and arguments, that no fact relating to his case had been stated untruly. In this expectation, it seems, I was mistaken; for he charges me with misstatements innumerable. I am unable, however, to perceive, that his letter even attempts to establish the falsity of a single statement of fact relating to his case, except in one instance---regarding merely the amount relatively expended by him and Dr. Clunes---to which I shall advert by and bye. Mr. Reed, indeed, says that my obiter dictum that his agreements with Bhya Jua would be altogether invalidated by the English laws of champerty and maintenance, is directly contrary to the truth. This, however, is a question of opinion, not of fact; and with all deference, I retain the opinion still. The “consideration” of all his agreements and bargains with Bhya Jha savoured of maintenance and champerty,—the bargain in substance was simple, that Mr. Reed should recover for Bhya Jha his vast estates, real and personal, and that in the event of success he should receive the recovered property as his guerdon. Whatever might be the form of the instrument, whether an agreement candidly setting forth the whole details, or a pukka assignment conveying the property for a nominal quid pro quo, the real nature of the transaction would not be a whit altered. The question of the (original) validity of the assignment to Mr. Reed has never been

The enthusiasm of the English people will not be readily kindled on behalf of a man whose name and character claim for him a million sterling. The Bar of Bya Jhs. Rajah Raja Goyind Sing, would stand upon a somewhat better footing, where he to bring it forward,—for he represents the original claimant, whose case was indeed a hard one, while Mr. Reed's colossal claims are founded upon moonlight services, long ago abundantly overpaid.

The Englishman considers my remarks (certainly not ill-naturedly meant) upon the faults of temper occasionally exhibited by Mr. Reed, as wholly irrelevant and impertinent. I do not think that they were so at all, considering how I applied them. I said that, in my humble judgment, his own perpetual interference with the conduct of his cause, and the violent outbreaks of temper which had alienated many of his most zealous friends; had contributed in no small degree to the delay, defeat and disappointment, of which he so loudly complains. This is certainly not very easily capable of direct proof. I can only appeal to the recollection of the professional gentlemen who have been engaged from time to time in the cause. I believe most firmly that scarcely one of those who were formerly employed on his behalf, and have experienced the *agremens* of such a client; would now be induced to act for him by any consideration. The lively horror excited by the very mention of Mr. Reed's suit, in the minds of most of the practitioners of the Supreme Court, is quite edifying. No bad indication of the truth of this statement is to be found in the significant circumstance that the two learned counsel and the two attorneys, who at present act for Mr. Reed in the Supreme Court, have all been only recently engaged in the case,—every one of them having been employed in it for the first time within the last few months! Now, that I consider a "small straw," which shows how the wind sets perhaps quite as well as a larger.

Mr. Reed is bold in his defiance to me to name the counsel and attorneys whom he has maligned. It is generally a delicate matter to introduce the names of individuals in such a matter, and I presume Mr. Reed thought I would scarcely respond to his appeal. But I will name them (it seems that he himself makes an admission as to four). Each and all are gentlemen whose private and professional character stands far too high to be in the slightest degree affected by the raving vituperation of fifty Charles Reeds; and I trust, therefore, that they will excuse the

liberty I take in introducing their names so unceremoniously. Now Sir, I deliberately assert that at least one half of the Supreme Court have heard Mr. Charles Reed utter abuse, the most coarse, scurrilous and insulting, of the following learned counsel,—Mr. Tutton, Mr. Dickens, Mr. Princep, Mr. Clarke, Mr. Leith and Mr. Morton,—and of the following most respectable attorneys—Mr. Temptation, Mr. Baillie and Mr. Molloy! I do not mean once,—nor twice, nor indeed any definite number of times,—nor do I mean terms of general abuse applied to the Supreme Court, Bench, Bar and attorneys generally,—that is common enough with Mr. Reed, and comparatively venial;—I mean gross charges and accusations, couched in the grossest language, and applied repeatedly to one and all by name. The learned judges do not escape. Every one of the three learned judges who now preside in this Court, have been reviled by him in terms absolutely startling to the hearer,—for in this species of eloquence Mr. Reed is quite unrivalled in Calcutta,—nay language has been uttered by him in court, while the court was sitting, which uttered by any other person would probably have led to instantaneous committal, but which has been suffered to pass with impunity in his case from a doubt of his sanity. All these matters, Sir, are so notorious in the Supreme Court, that I wonder greatly at Mr. Reed's venturing to put forth such a statement as that there are only FOUR persons whom he abuses!! I can only suppose that his passion is indeed a *furor brevis* (query, as to *brevis*!) during which he utters extravagancies which retain no local habitation in his memory. I really entertain a good opinion of Mr. Reed's veracity, and I am thus led to assign a charitable reason for the apparent deviation.

One word about the alleged misstatement concerning the relative sums expended by Dr. Cluues and Mr. Reed. It is asserted by Mr. Reed that his *consulatur* only advanced Rs. 2,000 altogether. In answer to this, I will merely remark—and as there are some of Dr. Cluues's representatives in Calcutta, the statement if incorrect will be contradicted,—that his next of kin recently imputed his claims as between himself and Mr. Reed, and declared that they were able to prove that he had spent about half a lakh of rupees, and that although he did not, for particular reasons, openly continue to aid the cause of Bya Jhs. after a certain period, he secretly supported it to the very day of his death. I do not pretend to say which statement is the true one, I merely mention this, to show that I had some

ground for what I advanced, and when it is remembered that Dr. Clunge must have been the wealthier man of the two, there is nothing very improbable in the supposition that the chief funds were furnished by him. With respect to Mr. Reed's short summary of his own little bill of costs—exhibiting a sum-total of five lakhs,—I think few will consent to "pass" it as satisfactory until some rather more definite account is given of the items of which it is composed. That Mr. Reed, expended five lakhs, and much more, in some way or other, I doubt not, because he has received much more, and yet at this day is not a man of substance; but that a twentieth of that sum can have been legitimate "costs," for which he is entitled to credit himself, is next to impossible. Indeed, upon his own shewing it is incomprehensible. The Swider decree was passed in 1812, and Mr. Reed's chief expenditure was long subsequent. Now as he never contributed to the expenses of the Appeal before the Privy Council in England, and as his breach of a rec-
ment in this particular is a main ground of complaint against him by Rajah Beye Govind Sing, the representative of Bhya Jha, it is difficult to understand how he could possibly have spent the fiftieth part of such a sum subsequently to 1812, so as to entitle him to credit against Bhya Jha's estate. If he expended this sum in his own litigations with the sureties, it is of course money spent for his own behoof. But further, whatever may have been the principal of the money expended by him, and to which he would be entitled to credit as legitimate "costs," an account made out with interest at twelve per cent., with annual rests to the present time, is quite inadmissible. I think six per cent. simple interest would be nearer the mark, at least according to the rate allowed by the Supreme Court. But at all events, if interest at this multiplying rate is to be calculated upon one side of the account, let it be calculated upon the other also; and Mr. Reed's five and a half lakhs, received by him in 1819 or 1820, would at this day amount to about fifty lakhs, or half a crore! And now, Sir, I have done. My sole object in inditing my former letter was to test the true merits of a case, in behalf of which such numerous appeals had been made to the press and the public. I have neither desire nor inclination to embark in a newspaper controversy with Mr. Reed, and I freely admit that in wordy altercation he would beat me handsomely, and infallibly have the last word if I were to write till the cold weather. He must disabuse himself

however, of the notion that the world will take his claims upon trust without examining them, and if he chooses to make his case a public one, he must prepare himself for the strictures of an impartial and disinterested representative of the public. I am amused at his idea that because he, advocating his own cause, prefers appearing in propria persona (though he too is backed by anonymous letter-writers with styles marvellously akin to his own) every one else who presumes to question the merits of his claims must enter the lists in his own real name also! Had I been in any way a party to the case, I might have followed Mr. Reed's example and signed my name in full, but, being only an amateur, I prefer doing battle with my risor down.

I have now said my say, and I shall retire.
 I am, dear Sir, yours faithfully.

June 8th.—*Hark. June, 9:*

DISINTERESTED.

[The great length of Mr. Reed's letter has forced us to print it on a separate sheet. If our correspondents will not confine their communications within reasonable limits, they must publish them in pamphlets, as we shall not be able to make room for them.—ED.]

To the Editor of the *Bengal Hurkaru*.

SIR,—The contents of DISINTERESTED'S letter may be divided into the following six heads:—

First Head.—The Proceedings of the Sudder Deewanee Adalat.

Second Head, Proceedings in the Supreme Court and how delayed, and the nature of my title to the money applied for to the said Court.

Third head.—My previous poverty and misrepresentation in respect thereto, charged against the *Englishman* and others.

Fourth Head.—My connection with Bhya Jha, what I did for him and the excess received for my services.

Fifth Head.—My bad temper, interference with and abuse of Legal Adversary, but for this long ago would have received my rights; grossly and bitterly malign my most zealous and disinterested friends; &c.

Sixth Head.—Misrepresentation of my case and of the purpose of those who advocate it.

First Head.—The Proceedings of the Sudder Dewanee Adalat.

1. It is not necessary to say more on this head than to observe that here, as in other instances, D. produces a subject of his own in place of what is objected to by the Englishman and others, and has the assurance to think that his shallow trick will not be detected. To my knowledge no objection by me or on my behalf has been made to the length of time that elapsed between the Ranees' death and the Sudder's Decree in July 1812; the time was long though certainly not longer than the time taken in common cases. So what is said about the Privy Council is wholly irrelevant on the present occasion. In the *Englishman* and other papers observations have been made on the Sudder's late Proceedings; but the subject of those observations need not be noticed here. Though not necessary to add more on this head, I consider it advisable to write what follows.

2. In respect to the Sudder Dewanee Adalat, the chief subject for consideration is, the culpable Proceedings carried on under the control of that Court;—the most enormous robbery, and other most wicked acts which were committed respecting the estate left by Ranees Indroutee; the most unjust and inhuman conduct observed towards Rhya Jha, and to the person who advocated his cause.—It is complained—that excepting the exposure which I with great difficulty, and at great cost, effected by the Proceedings which produced the resolutions of Government dated October 16th 1810, and by the trial in the Supreme Court of December 1821, the gross robbery, bribery, destruction of records, and other wicked acts committed, and gross demoralization produced, remain wholly uninvestigated, and the perpetrators of the said crimes, so far from being punished, were rewarded for their wickedness.

3. Mr. Brattle's short suspension from employment, and the shorter imprisonment of Hyfong Sing, was but adding to the crimes previously committed.—Sreenarayana and Bahkial, the chief native conspirators in the wickedness committed, were suffered to enjoy with impunity the worldly fruit of their criminal conduct; and in addition to the toil and what otherwise I necessarily suffered in producing the said exposures, I was made farther to suffer the heavy expense of

conducting the said proceedings;—and after information timely obtained enabled me to preserve my life and that of Rhya Jha (in 1808) from assassins employed—to murder us;—when in 1827, I was all but murdered at Poornessa;—when, in 1829, Government desired me to proceed to Moorshedabad on public business, and distinct information was given by a bailiff of the Supreme Court that assassins were stationed on the road in order to murder me;—and subsequently, in 1836, in the Court House of the Sudder Dewanee Adalat, when I was, if possible worse, then murdered;—both G. verment and the Supreme Court neglected to take any effectual notice thereof.

4. The *Englishman* and others wish—to represent THESE PARTICULARS to the British India Association and to the British Nation,—to solicit investigation and redress, and thus to prevent the perpetration of such doings in future. Let D. instead of this vile foolery about the time occupied in the Sudder Dewanee Adalat, and the privy Council, my asserted bad temper, and being over paid, attend to the said subjects;—let him produce respecting them all that can be advanced by one who has been practised, in the art of promiscuously advocating, according as he is paid, truth and falsehood, justice and injustice!

Second Head.—Proceedings in the Supreme Court and how delayed, and the nature of my title to the money applied for, to the said Court

5th My letter, printed in your paper of the 5th instant, contains a statement of my case in the Supreme Court; if that statement be correct, I ask what proceedings in a Court established to administer justice, can be worse? Where that statement incorrect in any one material particular D. certainly would have pointed out the inaccuracy; he would have rejoiced in having an opportunity to show that I had not a strict regard for truth, whereas finding himself constrained to make the contrary admission, the accuracy of that statement may be said to be confirmed by testimony which an enemy found himself constrained to give. D's whole performance manifests that he is strongly interested in the case. Then, admitting the said statement to be correct, let him endeavour to vindicate the crafty means by which he has contrived to misrepresent and abuse such a Court.

* "The whole contents of the said (D's) letter make it so manifest that the writer is deeply interested in the case, that henceforth I will tell him, not *Drin* *chastee*, but *o*."

* On this occasion a relation of what was said should occupy too much space; and justice must stand in the way of the said cases the fact would be publicly known.

His misrepresentation as to the cause of delay, will be noticed under the Fifth Head. I proceed to observe on what he states as to the nature of my right to the money claimed.

6. D asserts that my title to the money by the English Law of champerty and maintenance would be invalid: this assertion he must know to be incorrect, to be directly contrary to the truth. Bha Jha's original agreement would not have been upheld by English Law; so Mr. Clunes and I were informed; but we were satisfied on learning that it would be upheld by the Company's Courts. First we, subsequently I, acted on the said agreement until the Sudder's Decree of July 27 1812, was obtained, when Mr. Ferguson advised me to take an assignment from Bha Jha if he would give it; Bha Jha readily agreed; an assignment was prepared and settled by Mr. Richard Cracraft Attorney, and Mr. Ferguson, and was executed by Bha Jha, August 11, 1812. Previously, shortly after, I obtained a decree for Bha Jha, in the Provincial Court of Moorshedabad (July 20, 1809), Mr. E. B. Lewin and Mr. Ferguson advised this measure; Bha Jha most readily assented, and an Assignment was prepared; but Devenayn having appealed, I preferred waiting until the case should be decided by the Sudder Dewanne Adawlut. My right to the money in question, rests on the said deed of transfer of August 1812, and it is no more affected by the English law of champerty, maintenance or barratry, than if it had regularly descended to me from my father.

7 What will be said of D's statement to truth, and of his honesty (taken the word in its largest sense) who, knowing the facts here stated, has written as he has done on the subject? I presume that no man possessing common sense can entertain any doubt of D's unworthy design; all complaints against the Supreme Court made by the Englishman and others, is for the unjust proceedings carried on in that Court, no particular whereof can be more unjust than that of using Raja Beeje Govind Sing's name in direct contradiction to his most solemn declarations: this proceeding justly may be said to be monstrous; D, well knowing this, adopts that crafty conduct which, however manifest, will be further noticed hereafter. Much may be said of the conduct of the Supreme Court, but excepting the following paragraph I do not consider there to be requisite on this occasion.

*D stands forward as one well acquainted with the particulars of this case; consequently I am warranted to surmise that he is so acquainted,

8. As to the imputed ostentatious contents of D's 9th paragraph, I confidently assert that it is the duty of the Judges carefully and zealously to watch over the management of all the estates and money whereof the Court takes charge: this duty is imposed on them by the plainest principles of justice, and by their official oath. Had the Judges so watched over the money called Bha Jha's Fund, I should regularly have received 900 Rupees monthly from the 1st of January 1823; and, had any unavoidable circumstance prevented the said payment being made, the said Fund in January 1829, when Mr. Macnaghten, the Court's Receiver left India, would in place of about Rupees 1,70,000 have amounted to about Rupees 1,700,000. Here I do not consider it requisite to say more on this important subject: but I ask, what the people of England will say to this and the other injurious proceedings of this extraordinary case?

Third Head.—My previous poverty and misrepresentation in respect thereto, charged against the *Englishman* and others.

9 In this particular similar dissimulation and shallow craftiness are practised as in the preceding head. Have I, the *Englishman*, or any other person advocating my cause, ever stated or insinuated—that the money claimed was originally my money,—that the whole was not transferred to me by Bha Jha,—or that I formerly was a wealthy man?—I answer this question positively in the negative for myself, and to the best of my knowledge for all other persons mentioned. I call on D. to state when and where any of us have said or written anything that warrants his asserting, that persons "ignorant of the real nature of the case will be led to believe, that Mr. Reed was in former days a man of enormous wealth, which he was suddenly stripped of by rogues, and which he has spent two-thirds of a life in recovering;" and unless he produce some ground to warrant what he has asserted in this respect, it will be impossible to entertain a doubt of his sinister intentions.

10. No just man, especially no Christian, will be ashamed of being poor. When I last left England, I brought out little money with me; but I brought out integrity and (as D. declares) a "strict regard for truth," qualities which I would not exchange for all the gold of India, although that gold

*I have numbered the paragraphs of D's letter, and they amount to 18.

should be accompanied by the gift of such sweetness of temper, as would enable me to look on villainy with complacency, and familiarly to associate with and commendably to speak of powerful Evil-doers! I also brought out a firm conviction of the truth of Revelation; a conviction which hitherto has enabled me to endure—all the Injustice and Oppression inflicted on me,—all the attempts to destroy me, both those of violence and those committed by means of the Law or otherwise.

11. When I undertook to conduct Bhya Jha's case, I was far, very far from being wealthy; but the trade in which I was engaged in Poorneah afforded ample means for honestly supporting myself, and in time to acquire a moderate fortune. And although from my father's property I benefited little further than to obtain a common English education, on returning to India in 1801, I found myself proprietor of an Estate which, if my information be correct, was from the time of my arrival to the year 1831, when last I was duly informed thereof, capable of producing a clear annual profit of many thousand rupees. The said Estate was bequeathed to me by a Christian Lady who (I am informed) received it from my Uncle. By attending to Bhya Jha's case I have not been able to look after the said Estate, and consequently its produce has been almost wholly lost to me. By writing what here is stated, it may be said that I am attending to D's gross impertinence? let it be so; will he not be required to answer to the public for that impertinence?

Fourth Head.—My connection with Bhya Jha, what I did for him, and the excess received for my services.

12. This is one of D's strongest points; and like most of his other points is wholly beside the case advocated by the *Englishman* and other papers. Here D's total want of "a sincere regard for truth" will conspicuously appear.

13. I found Bhya Jha deserted by almost all Mankind. I have not any objection to vindicate myself for accepting from him the agreement which he gave to me; I refer such as desire to possess information on this point to—my answer filed in the Supreme Court, March 29, 1839; Bhya Jha's Petition filed in the *Sudder Dewanee Adalat*, September 17th, 1810; and many other papers of this case: on the present occasion it will be sufficient to point out D's mis-statements.

14. D. states, by implication, that Dr. Clunes, until the time of his death, jointly

with me, conducted Bhya Jha's case; and positively asserts—that he (Dr. Clunes) paid the chief expences; and that the whole he advanced in Bhya Jha's cause did not exceed. AT THE UTMOST, a few thousand rupees. These three assertions are all grossly incorrect, and I ask if D's manifest purpose will not warrant its being said that they are grossly false? Dr. Clunes, as soon as he heard of the *Sudder's* Proceedings of September 26, 1804, rejecting Bhya Jha's application, abandoned the case entirely; he lived until Monday, July 15th, 1805 (nearly ten months after the said proceeding); when, unfortunately he and Mr. Joseph Duerburne (Judge and Magistrate of the Zilla) were drowned in crossing the Ganges. The cost of conducting the case while Dr. Clunes was concerned, amounted according to my best recollection to less than 4,000 rupees, half whereof Dr. Clunes paid and no more; whereas, my costs in conducting the suit, to August 1817, by an account made out when Bhya Jha's last agreement with me was before the *Sudder Court*, amounted to about Rs. 5,00,000. The said account was made out with interest at 12 per cent, and closed annually; in this manner I had to answer for the money borrowed.

15 Long ineffectual search has been made for the said account of 1817; but the fact is mentioned in my Representation to the *Sudder Dewanee Adalat*, dated August 28th 1817; had the said Representation contained any false statement or material inaccuracy, such defect certainly would have been defeated and publicly exposed in Court. In my opinion it will not be difficult to make out an account of my costs, should not the said account be found, but much time must be occupied in inspecting papers, and what good could be obtained by now preparing a full and accurate account of costs? Had not OBERGHER's letter appeared, a statement of account would here be given; but I consider what is stated in my notice of him, paragraph 5, to be sufficient. Do not the particulars there stated, including interest, sufficiently account for the expenditure of more than 5,00,000 rupees? The said paragraph is given below.*

* "It also must be known to all such Men, that I incurred very great Cost—endeavouring, to have Bhya Jha's Case tried in the Supreme Court,—in 1804.—In the Evidence which drew forth the Government Resolutions of October 16th 1810, and in prosecuting the Bribery Case which was tried in the Supreme Court in December 1821.—They also know, that on account of this Case, I in 1810, was imprisoned about ten months in the Calcutta Jail,—and was made to pay nearly one Lack of Rupees before I obtained my liberty,—that I supported Bhya Jha and his connexions until late in the year 1812, and that I had to sup-

16. Respecting Mr. Clunes there cannot be any doubt; lately his own letters were produced which show that he wholly abandoned Bhyas Jha's case on learning the nature of the Sudder's proceedings of September 23, 1804; if our costs in prosecuting the case then exceeded 4,000 rupees, if he paid more than 2,000 of the said cost, let his Representatives produce the account; they have his papers. The sum mentioned by me is stated from memory, but I am satisfied it is correct. In the few months during which Mr. Clunes acted, how could any considerable expenditure have occurred? A regular suit had not been instituted; proceedings in the Supreme Court had not commenced, neither had the investigation subsequently ordered by Government. Yet D., knowing all this, has had the effrontery to declare "the whole advances he" (Read) "made in Bhyas Jha's cause did not exceed, at the utmost, " a few thousand rupees, the chief expenses having been paid by Dr. Clunes."

17. Should I receive all that Bhyas Jha transferred to me, the amount will be very large, much greater than the sum mentioned by D.; but, were the amount yet larger, and were its recovery certain, how could the merits of the case at issue be thereby affected? Again, referring to the last sentence under the Second Head, I request particular attention to D.'s above quoted assertions, and to the facts in question. D.'s letter immediately brought to my memory the case of *Mrs. Courtt's*; but the point being noticed by the *Englishman* (May 11th) and D.'s conduct in this respect being too gross to impose on any man, what I wrote is omitted.

Fifth Head.--My bad temper, interference with, and abuse of legal advisers; but for this long ago I would have received my rights;—grossly and bitterly malign my most zealous and disinterested friends, &c.

18. D. asserts—"I could name six or eight leading counsel of the Supreme Court, and three or four most respectable attorneys who have engaged successively in his cause, and who have been utterly wearied and disgusted with his ungrateful return for their honest and zealous exertions. Every temporary failure is immediately attributed by him to design and treachery, and many a friend has he converted into an enemy;

"simple because he would persist in regarding him in no other light."

19. D. must consider the acts complained of as indelible and so culpable, that in order, if possible, to withdraw them from consideration, he has produced the above gross assertions, assertions as absurd as they are false. If I had acted, as is here stated, to so many Counsel and Attorneys, excepting the first of each denomination who acted for me,—what kind of men must all their successors be, who, with their eyes open, engaged to act for such a person as is described by D.? Is it possible to conceive men of more base, more degraded conduct than D.'s five or seven leading counsel, and two or three most respectable attorneys, all but the first of each profession? Is it possible for respectable, for any but the basest of men so to act? The said seven or ten (one of each being deducted) counsel and attorneys, by D.'s account, not only engaged to act for a known monster, but farther, by so doing, violated that courtesy and personal consideration, which is established among the Profession. Is it possible for men to be more basely maligned. What D. asserts is morally impossible; it is as absurd as it is void of truth. This may be a sufficient notice of D.'s above quoted assertion; but, considering D.'s manifest purpose, I think it right here to give the particulars of the subject which he so grossly has misrepresented.

20. I engage to conduct Bhyas Jha's case, January 2nd, 1804; shortly after I retained Mr. Robert Percy Smith, Advocate-General, and he continued to act for me, as my Counsel, and as Bhyas Jha's Counsel, until he left India I think in 1811; during the whole of the said time he expressed regard for me and showed me the kindest attention; nearly, if not the very last day he attended in Court, he manifested strong regard for me; and Mr. Ferguson, while he remained in India, from time to time assured me that Mr. Smith continued to entertain strong regard for me, and would be very glad to see me in England. Mr. Edward Benjamin Lewin was my Counsel some years jointly with Mr. Smith; and as long as he remained in India (I think to the end of 1814,) manifested for me equal regard with Mr. Smith. Mr. R. C. Fergusson, after having once acted for Mr. Brodie, ever acted for me in Bhyas Jha's case, and in expressing regard for me until the day he left India (March 1824,) was not behind either Mr. Smith or Mr. Lewin. Mr. Edward Stretton, Mr. Compton, Mr. Dickens, (Mr. Theodore Dickens's father,) and Mr. Spankie (Advocate-General,) also acted for me as

"port myself (with English and Persian Writers and conveyances for making many journeys from Pooree to Calcutta and from Calcutta to Pooree) until the end of 1819, that is during sixteen years;—all this they know, but D.'s purpose required that all the said particulars should be suppressed!"

Counsel; and to my knowledge not neither or censured any one of them. If not then what of them ever expressed the least dissatisfaction with me. must be said of the black charge above stated?

21. During the whole of the time here mentioned, from 1804 to 1824, my Attorneys were Mr. Stapleton, Mr. W. Blackstones, Mr. Forbes, Mr. Cincraft, Mr. Macnabb and Mr. Woodworth, with all of whom I remained not only on good terms but was esteemed by them all; they all, equally with my Counsel, commanded my conduct in prosecuting the Great Pannoh Case, and strongly condemned the acts whereof I complained. Mr. Dickens, (the father,) so expressed himself, that D must join him with me in respect to the use of strong language; the son also acted as my Counsel and how he expressed himself towards me as long as he remained at the Bar, is well known: he little if at all, fell short of his father and myself, in the use of strong language: the same thing may be said of Mr. Lewin and Mr. Feigussou. If any person who acted for me in Bhya Jha's case, either as Counsel or Attorney, have escaped by memory, let D. supply the defect. For this period of twenty years what becomes of D's slander? He, no doubt, will find himself driven to say, "I intend to confine what I have said in this respect to the last seven years, or from the middle of 1834, when Mr. Reed first applied to the Supreme Court for his money under the Court's order of October 30th 1830. Let him so confine his ground; and the result will prove equally discreditable to him."

22. From 1824 to the middle of 1834, to my knowledge nothing took place in the Supreme Court respecting my money, called Bhya Jha's Fund; in the last mentioned year, informed of the Court's order of October 30th, 1820 I applied to the Court; then Mr. Turton was my Counsel: Mr. Turton left India in August, 1836, and was succeeded by Mr. W. P. Grant; in 1838 Mr Grant being appointed Master, Mr. Pearson, Advocate-General and Mr. Prinsep acted for me; from early in 1839, Mr Morton acted as my Counsel: during the period here mentioned, my Attorneys were first Mr. Carey, then Messrs. Baillie and Molloy, next Mr. Templeton; and I call on D. to declare, if of all these Counsel and Attorneys, excepting Mr. ——— and Messrs. ——— and ———, I disagreed with

23. Mr. Turton quitted India without any difference whatever occurring between us; between Mr. Grant and myself a difference of a few minutes occurred, but it was produced entirely by his being deceived respecting a point of my case, and on the point being explained, we were as cordial as formerly, and so have remained until the present day; with Mr. Pearson and Mr. Prinsep I never had any difference in my case; what occurred with Mr. Prinsep in the case of Raja Basdeo Sing is wholly a distinct concern, and will not in any degree serve D's purpose. No difference occurred with Mr. Carey, he made some errors in practice, which were injurious to me; but satisfied he wished to promote my interest, the said errors did not in any degree affect the good will which formerly existed between us. I have been dissatisfied with Mr. ———, but solely because he allowed Mr. ——— to perform certain measures; but here the same observation applies as in Mr. Carey's case, and respecting the said measures I ever have undissatisfiedly disapproved of them as much as myself.

24. Then where are D's "six or eight leading counsel and three or four respectable attorneys?" They are reduced to Mr. ——— and Messrs. ——— and ———. Mr. ——— may be misd; I fear not the judgment of all honest men on the charges which prefer against Messrs. ——— and ——— and Messrs. ——— and ———. But should I err in respect to the said two counsel and two attorneys, even then what will become of D's assertion? What will not a man do who will so act? Of all the counsel and attorneys above mentioned (the son, excepted) who ever heard any thing that would warrant the said vile aspersion? So far from grossly and bitterly maligning or accusing the said persons of treachery, I think it probable that few men living speak stronger than I have done in praise of the greater part of the said gentlemen, or of many gentlemen of the Civil Service who have acted in this case or been otherwise known to me.

25. Now let D. name nine or twelve leading and most respectable counsel and attorneys, to whom his above quoted assertions (in paragraph 18) apply—let him mention a single instance in which my interference delayed the recovery of my money even for a single day. Unless he do this will not all the just part of mankind, in regard to the

* Mr. Smith did not publicly act for Bhya Jha when his case was brought before the Supreme Court; here the cause need not to be stated, but certainly it was not owing to my interference or bad temper, nor to his being dissatisfied with me.

† We have been obliged to substitute blanks for these and some of the names below.—ED

said assertions, apply the words of a late Chief Justice of the Court of King's Bench,—"It is all as false as Hell!"

Sixth Head—Misrepresentation of my case and of the purpose of those who advocate it.

26. Heaven has pleased to place nearly the whole of Hindoostan, supposed to contain about 150 millions of our fellow Creatures, under the care and rule of the British Nation. This great trust hitherto has been grossly abused—chiefly owing to the manner in which the country is managed being concealed from the British People. Lately the attention of the nation has been drawn to the condition of this country, and different associations are formed in order—duly to effect the welfare of British India,—to ascertain how the country is ruled, how justice is administered, how the Persons and property of the People are protected,—to correct existing abuses, and, in their place, to establish a just, a Christian Government!

27. A case is now pending before the Superior Authorities of this country, which originated nearly forty years ago, which with its ramifications it is considered will afford the British People sufficient information to enable them to effect their said wily purpose. In this case, one Bhya Jha, a native British subject, more than 37 years ago, inherited a very large estate, real and personal, in Zilla Poonnee, the specie whereof, chiefly in gold coin, was reckoned to be sixty five lacks of sicca rupees or upwards, or much more than six hundred and fifty thousand pounds sterling.

28. Certain Individuals conspired to rob the estate of the said large sum of money: to effect that purpose, the Proprietor was driven from his Home; people were made afraid to afford him shelter;—he was put in such fear for his life that he dare not sleep at night;—the money was robbed, and the papers and books of account were destroyed or made away with; and a series of proceedings were adopted so grossly unjust, so enormously wicked, as to appear almost incredible! Now at the expiration of more than thirty-seven years, when not one of the original Parties nor of their Supporters and Connections—continues to exist,—the said case is far from being settled: and although a statement of the whole case may be requisite in order to obtain all the assistance desired from the parent state, yet in the meantime a full exposure of the present state of this case as before—the Supreme Court, the Sudder, Deewanee Adalat, and Government

cannot fail to produce a most lively and effective interest in the British Nation. Until a full statement be prepared, the accompanying abstract, will show the nature of this long-pending case, and serve as a document to be referred to.

29. The statements published in the Englishman and other papers, having disclosed much of the injustice and wickedness committed, measures being adopted to give a full disclosure, and the said statements being undoubtedly true, D, in order to prevent, or greatly to weaken the effect of such disclosure, has produced his base production to which this is a reply. For the present occasion, respecting the nature of the case, and the purpose of those who advocate it, enough is stated here and under the First Head; and of D's unworthy and crafty conduct, and gross violation of truth, enough is stated under the Fourth and Fifth Heads. So as to my temper, enough is said under the Fifth Head and on the point of the amount of my claim, I presume it would be sufficient to state. In prosecuting Bhya Jha's case, had I not expended a single rupee, had I not laboured a single hour, had I not suffered one moment's uneasiness, yet Bhya Jha, the Proprietor, having given the money to me, all who prevent me from obtaining the said money, be it 50 lacks or even 60 crores of rupees, by whatever means they produce the said effect, are as guilty as the robber who breaks into a house and steals property there from; and if among such persons, any individual be put for administering justice, he is more criminal than the robber.

30. Had Mrs. Coutts' money at the time of her husband's death, been deposited with two Bankers, and they, having paid her 50,000 pounds, endeavoured to despoil her of the residue on grounds similar to those advanced by D, would any honest man subsequently have associated with the said Bankers? Would they not have been hooted in the streets?—Would they not been execrated by all mankind—excepting such persons as D!—yet the grounds advanced by D, are blacker in baseness when applied to my case than when applied to the case of Mrs. Coutts. And this conduct of D is, by OBSERVER, called—an attempt by an unbiassed person to put the misled public to right! See OBSERVER's words at the commencement of his two letters.

31. Let D, preform what he says is so easy to be done;—let him name the six or eight leading Counsel, and three or four most respectable Attorneys; let him show that the whole advances I made in Bhya Jha's cause

did not exceed at the utmost a few thousand rupees, and that Dr. Clunes paid the chief expenses;—may let him show that the cost of conducting Bhyā Jha's case in the Country Courts, in the Supreme Court, and before Government, with legal interest thereon, did not at the end of 1819, much exceed 5,00,000 rupees; reserving the amount expended, during sixteen years, with interest thereon, for the subsistence of Bhyā Jha, myself, and our families? Unless he show that what he has asserted respecting these particulars is not false, what should be stamped on his forehead? Let him name one friend that I ever lost on account of my bad temper or otherwise.

32. These particulars, set up by D., are wholly foreign to the case at issue; to my knowledge they never were asserted by the *Englishman* nor by any person who advocated my case: being asserted by D. he should be called on to prove them; this I assert he cannot do.—I declare his said assertions to be contrary to the truth.—Having thus noticed D's attack, I regret not having replied to it in Juxta position;—such notice of his production would, in my opinion, show his unworthy purpose in a much stronger light than otherwise can be done; but I trust that his said purpose and his want of veracity are sufficiently exposed by what is above stated, and I am not inclined farther to labour respecting such an Adversary.

Yours obediently,

CHARLES REED.

Calcutta, May 15th, 1841.

33. In my letter of the 17th instant I stated that the above reply was written and would be produced; but for that statement this letter might have added one to the number of papers written more as the fruit of my feeling than of my judgment; not that I wish to withhold from the public any thing that is here stated; but, considering D's unworthy purpose, and that he has not questioned a single material particular of the case advocated by the *Englishman* and others, it might be right to take no farther notice of D's production than in a few lines to observe on his manifested unworthy purpose and the crafty manner in which he has endeavoured to effect that purpose.

34. With my mind so affected, I could not earlier take up the draft of my above reply; but, necessarily, wishing to have my promised notice of D's letter printed with that letter in the journal of this month, and

knowing that in order to effect the said wish this is my last day, yesterday evening the said draft was looked out—including an incomplete Abstract of "The Great Poorneea case"—which is referred to under the Sixth Head. Now there is not time to complete the said Abstract, to add what was to have been farther written under the Sixth Head nor even to revise my reply; wherefore the letter will be sent with all its imperfections, trusting that enough is here stated in reply to D's attack. I will add one particular which, but for defect of memory, would have been stated above in paragraph 3; and will conclude with such farther notice as OBSERVER's letters appears to me to require.

35. The attempt made to murder me on the 8th of June 1827, being prevented by a special interposition of ALMIGHTY GOD, I was despoiled of my three Landed Estates in Zillah Poorneea, and other wicked measures were adopted in order to destroy me:—the particulars of all the said measures stand recorded in the *Sundar Dewance Adawlut*, and in the Offices of Government. The justice of two Civil Servants, aided by a late worthy Deputy Governor, caused one of the said Estates to be restored to me (but the restoration is not perfect): the two other Estates whereof I was despoiled, and the produce thereof, are yet held if the Government longer refuse to restore them, I trust the British Nation will compel their restoration, although a thousand such men as D. should endeavour to conceal or mis-represent the wicked doings complained of!

36. OBSERVER's first letter (*Hurkaru*, May 17) states. "It is a great misfortune that an interested party should mislead the Public, by publishing an ex parte statement of his alleged wrongs," &c. His second letter (*Hurkaru*, May 22d) stated.—"Mr. Charles Reed is wrong if he supposes that I imagined that 'he or those who advocate his cause had misled the public.'" I cannot reconcile these two passages but willingly receive the writer's explanation, and must conclude that in the first instance his meaning was not correctly expressed.

37. Had OBSERVER, at first, expressed himself in the same tone as is observed in his letter of May 21st, printed in your paper of the 22d instant, he probably would have obtained whatever information he desires. I have nothing to conceal; the more the particulars of this important case are fully known the more I will be gratified. But though willing to let my papers, both private and public,

be inspected,—no man has a right to know what I do with my money; and no man who is not a shameless rogue, will assert or insinuate that I, or any other person, should be despoiled of our rights because he (the asserter) approves not of our temper,—or because, having obtained such part of our right as the con-

siders to be sufficient for us, we should be despoiled of the remainder;—much less can any man be warranted in endeavoring to uphold such spoliation by stating the most gross falsehoods!

May 20.

C. REED.

CORRESPONDENCE BETWEEN MR. ROSS BELL AND BRIGADIER GORDON IN 1839.

*To Brigadier Gordon, Commanding Troops,
Upper Scinde.*

Sir,—I have the honor to inform you, that strong and repeated remonstrances have been made to me by their Highnesses the Ameers of Khypore, regarding facts said to have been committed in the towns of Roree and Sukkur by Sepoys and Camp followers under your command.

It is of the utmost importance at the present moment to avoid giving any cause of offence to the Ameers, and it is at the same time equally just and expedient, that their subjects should be protected from the unauthorized acts too frequently committed by soldiers and Camp followers, and be led to regard us as friends instead of oppressive soldiers,—a light in which at present they generally view us. In order to put a stop to the recurrence of acts such as have been complained of by the Ameers. I have placed a chupprasee officer of this office in attendance on the Sirdars of Roree and Sukkur, in order to bring both parties before me, or before the, Political Assistant in charge of Sukkur on the occurrence of any quarrel or dispute betwixt the inhabitants and British Subjects; and I shall feel much obliged by your inculcating on the Sepoys, that any illegal act committed by them within the towns of Sukkur and of Roree, or in the neighbouring villages, will be punished in the same manner as it would be in a place situated within the jurisdiction of the Company's ordinary course;

Signed) Ross BELL,

Political Agent, Upper Scinde.

Camp Sukkur, July 18th, 1839.

[Meer Roostum, Ameer of Khypoor, it was afterwards understood wrote to Hyderabad stating that Mr. Bell had requested him to make a complaint against the Military Authorities]

Brigadier GORDON's Answer.

SIR,—I have the honor to acknowledge the receipt of your letter of this day's date. With reference to the first para. of your communication I have to inform you, that every effort on my part to maintain the peace of the towns of Roree and Sukkur shall be exercised. A safe guard is already stationed at Sukkur. I shall always be happy and ready to receive from you as Political Agent, delinquents that may be delivered over by the Sirdars of Sukkur and Roree belonging to my Camp; and I shall take care that the conduct of the person or persons shall be investigated by a Court Martial, and with the punishment awarded, you shall be duly made acquainted. With regard to the concluding part of the last para. of your letter, I must state for your information, that I acknowledge no magisterial authority, and I have to beg that you will bear in mind, that as the force is a Field Force, forming part of the Army of the Indus, under His excellency Sir John Keane's Command in a foreign country, Martial Law, and martial law alone must be the ruling order of the Force, until the Governor General's instructions are received to the contrary.

Having thus expressed myself, you must be aware that I possess the power of enforcing my orders. I therefore earnestly entreat you to allow our relative duties to go on as they have hitherto done, and not allow yourself to be led heedlessly into a public error.

The decision of the Right Hon'ble the Governor General to whom copies of this correspondence shall be submitted, must soon settle the conflicting opinion on certain points already referred to him.

(Signed) W. GORDON, Brigadier.

Answer of the Governor General.

SIR,—With regard to the question submitted in your letter of the 18th ultimo, I

am directed to state, that the Governor General has always been most anxious for the protection of the population from wrong or violence on the part of the Troops or Camp Followers stationed in Upper Scinde; and His Lordship has accordingly observed with pleasure the readiness evinced by you to co-operate with the Political Agent according to Military usage, in effecting that most desirable object.

After much reflection His Lordship is satisfied, that for the present at least, and while our Military Posts in that country remain on an uncertain and temporary footing, and merely as portion of the Army serving in the Field, it will be the best and only convenient course, setting aside the difficult questions of Military or International law with which the case is attended, to make all offences on person or property cognizable, as heretofore, by the established Military Courts only.

The Governor General thinking it desirable that every opportunity should be given to the Ameers of Khypore of satisfying themselves of the scrupulous attention to justice with which the proceedings of our Courts Martial are conducted, has instructed the Political Agent to inform them, that no objection will be offered to the presence of one of their officers at every trial, in which one of their subjects may be a party, and His Lordship requests, that it may be considered the special duty of the Interpreters to Courts Martial on such occasions, to explain to the officers attending on the part of the Ameers the nature of the proceedings and the rules of evidences.

As judicious preventive measures may in great measure obviate the necessity of having recourse to penal ones—the Governor General requests that every practicable precaution may be adopted for the prevention of outrage, and above all that strict regulations may be framed and enforced prohibiting soldiers and Camp followers from proceeding at all into the neighbouring Towns or Villages, excepting on occasions of evident necessity.

(Signed) J. STEWART, Lieut. Col.
Secy. to Govt. of India
Military Department.

Simla, 2nd August, 1839.

From ROSS BELL, Esq. to Brigadier GORDON,

Sir,—I have the honor to inclose copy of a deposition delivered upon oath before me by Sacen Doss, the Kotwal of Sukkur, on the part of Meer Merza, and to request that you will order the individuals named Moolia and Purga, to be immediately sent to me by Major, Billamore.

The acts deposed to by Sacen Doss and others, which will be noticed by me hereafter, have followed close on the declaration made in your letter to my address of the 18th instant, "That Martial Law and Martial Law alone" shall prevail in this country.

I take this opportunity of warning you in the most solemn manner, as the representative of the British Government, that the course which you have adopted is in open defiance of the policy of the Government whose servant you are. That by persevering in it, and permitting your subordinates to do so, you will certainly occasion an open rebellion in this country, and that you will not only incur the most criminal culpability as a Military servant of the Government, but will be held answerable to laws of your country for every drop of blood which may be spilt in such a cause.

Your letter of the 18th instant has been submitted by me for the consideration and orders of the Governor-General of India, a Copy of this letter also shall be laid before his Lordship and before the Hon'ble the Governor of Bombay.

(Signed) ROSS BELL,
Political Agent.

Camp Sukkur, 26th July, 1839.

Reply of Brigadier GORDON.

Sir,—I have the honor to acknowledge the receipt of your letter of the 26th instant received yesterday afternoon about 6 P.M., inclosing a Copy of a deposition delivered on oath before you, by Sacen Doss, Kotwal of Sukkur, and requesting me to order the individuals named therein to be immediately sent to you by Major Billamore. In reply I beg to state, as the individuals in question are attached to the Bazar of the Grenadier Regiment, and being Camp Followers, I decline to comply with your request. I have ordered a Court of Enquiry to assemble to enquire into the complaint against these individuals, the result of which shall be made known to you when the proceedings are concluded.

Your Letters I forwarded to the Right Hon'ble the Governor General of India.

(Signed) W. GORDON,
Brigadier Commanding U. S.
Camp Sukkur, 27th July, 1839.

[Bombay Times, May 19,

(To be continued.)

CORRESPONDENCE BETWEEN MR. ROSS BELL AND BRIGADIER GORDON, IN 1839.

Brigadier GORDON to the Chief Secy to Govt.

Sir,—I have the honor to forward a letter I received from Mr. Ross Bell yesterday afternoon to my address, dated 26th instant, and in order that the Governor-General may be placed in possession of the circumstances connected with Mr. Bell's communication, I beg to submit the following observations, for the better elucidation of certain points of that Gentleman's production.

The deposition alluded to in the 1st Para. of Mr. Bell's letter I have had translated, and being satisfied that there appeared grounds for the complaint made against the man belonging to the Bazar attached to the Grenadier Regiment, by an inhabitant of Sukkur, I ordered a Court of Enquiry to assemble this morning, to investigate the case, and refused to comply with Mr. Bell's request, to have the two men under my command delivered over to him for investigation. Mr. Bell, in his 21 para. states, that the act deposed to by Sacen Doss, followed close on the declaration made in my letter to his address of the 13th instant, (a copy of which I have transmitted for His Lordship's order) as if Mr. Bell would wish to make it appear to Government that the declaration that "Martial Law" was to be the ruling order of the Force, was communicated with no other object in view than to raise a rebellion in the country, and that the course adopted by me was in open defiance of the policy of Government.

It will, no doubt, be perceptible to his Lordship, that this and other letters of Mr. Bell's are not written for the benefit of the state, or with any consideration for the natives of the country. I earnestly entreat His Lordship to allow my letter of the 13th to speak for itself, and whether the sentiments therein conveyed, could in any way call for the strong observations expressed by Mr. Bell's,—observations unjustifiable and subversive of every principle of order and duty—much more calculated to produce censure, and generate ill-will, by the entertainment of such pernicious sentiments as Mr. Bell has so studiously expressed towards my letter, than from the circumstance of my declaring that Martial Law should be the Law of this Force, which I did for the preservation of the peace of the country, to prevent the natives from being oppressed by the men and followers of this Force,

I wish most earnestly to impress upon His Lordship, that ever since my arrival at this place, I have done everything in my power to prevent the Natives of the country from being maltreated. Very shortly after my arrival I had a sepoy brought before a Court Martial for an affray in the Town of Sukkur, the proceedings of which are before the Commander-in-chief; since which I tried and broke a Havildar for levying a contribution in the Town; and within the last four days I have ordered Roll Calls at 8 o'clock at night, to prevent the Sepoys from going into the Town. I have always had a Havildar's Guard at Sukkur to preserve the peace and guard that Town. I have ever been ready to attend to any complaint that has been brought to my notice, and told Mr. Bell that I would investigate all cases myself in which the men belonging to the Force were concerned; but that at the same time I could not acknowledge any Magisterial authority here to interfere with my powers; and it is in this question that Mr. Bell has allowed himself to be led away with some extravagant notions of his own powers, which he really does not possess relative to this Force.

His excellency Sir John Keane would not have placed me in command of this Brigade, had he not considered me in every way qualified to discharge the duties of it. Every thing I have done has been approved of both by him, as well as by His Lordship. The duties of the service have always been regularly and uninterruptedly carried on, without any opposition or misunderstanding, until the appearance of Mr. Bell, who has shown, by every act, since his arrival, his disposition to oppose me, and never more apparent has that disposition been than in his last effusion now submitted. The truth is, Sir, and I hesitate not to declare it, that there is at this moment a conspiracy against my authority,—encouraging the natives of the place to bring forward every kind of complaint they can collect to bear against my orders. Even the hill which I selected for a Battery soon after my arrival, and the top of which I am now levelling for that purpose, will, it is very probable, be made the subject of representation to His Lordship.

Our encampment is in the middle of tombs; so that nothing can be easier for Mr. Bell than to convey to His Lordship, in his usual specious style, the impression he has himself

formed on the subject. But I shall be ready to make any explanation when called upon by His Lordship, in defence of the many representations submitted by Mr. Bell against my acts. With reference to Mr. Bell's letter, I appeal to His Lordship against the dictatorial and unwarrantable style of it. My rank the army; my situation as the superior authority at Sukkur; and my position as Brigadier General Commanding the whole of the Troops in Upper Scinde, demand that I shall be supported against the malevolent aspersions conveyed in Mr. Bell's letter; and I claim the protection of His Lordship, that I should be treated at least by that Gentleman in the language of moderation and respect in his communications to me.

I am in hopes that when the whole of the Papers have been laid before His Lordship, he will at once perceive that there is an under current, from which, if measures are not taken to check its course, it will not be possible to carry on the duties of my command.

I have the honor to be, &c.

(Signed) W GORDON, Brigadier.

Camp Sukkur. 27th July, 1839.

MR. ROSS BELL to Brigadier GORDON.

SIR,—In continuation of my letter of yesterday, I have the honor to request your most serious attention to the subject of my present address.

2nd. In consequence of the threat of military violence conveyed in the 2d para. of your letter, dated the 18th instant, it was my wish to have avoided all further correspondence with you until I should receive a reply to a letter on this subject which I forwarded by express to the Right Hon'ble the Governor-General of India.

3rd. I cannot, however, expect to receive instructions from His Lordship before the 10th proximo. and in the mean time, the past acts and present conduct of military officers under your command, are leading rapidly to a crisis in the affairs of this country, which it has all along been the policy of the British Government to avert, and which will entail deep disgrace and ruin on all who may be instrumental in bringing it about. As the representative of the Governor-General in the country, it becomes my duty to protest, in the strongest terms, against what is passing. I cannot, it is true, oppose any thing save remonstrances to the threats of military coercion which you have held out; but these

remonstrances may have the effect of inducing you to pause in the course which you are pursuing,—and with that hope I shall continue to urge them on you.

4th. The local officers, as well as the Subjects of their Highnesses the Ameers of Khy-pore, are both alarmed and exasperated at the injuries inflicted on them, and are vociferous in their appeals to me for justice. Yesterday some of the most respectable people at this place, amongst other grievances stated, that not only were the inhabitants insulted and injured in their own persons, but that the tombs of their ancestors had been desecrated by your order, that the bones of the Syeds, who are revered here as saints, had been torn from the grave and thrown into the river; and that in reply to their complaints and remonstrances, the soldiers jeered and insulted them by such remarks as “the holy men have embarked for Mecca.” “Your grandfathers have gone on a pilgrimage.”

5th. The truth of this Statement I have investigated, and it is with the deepest pain that I have ascertained it to be too accurate. In any of our own provinces, such proceedings would have occasioned an immediate and general rebellion amongst the Mussulman population. That it has not up to this date done so here, is to me matter of the utmost surprise. But the feeling of resentment towards us, which it has given birth to in the breasts of the people, is deep and bitter, and a trifle may stir it into violent action.

The disgraced and injured Syeds are the most influential men in the country; they are the descendants of Meer Wobsoon, and are at the same time rulers and patron Saints of Scinde; and at this day no affair of importance is engaged in, either chiefs or by the lower order, without their previous advice. They form the only class from which we have derived assistance and information since our arrival in Scinde, and merited a very different treatment at the hands of every servant of the British Government, than that which they have met. Instead of receiving protection and reward, they have been trampled on, their religion outraged, and the tombs of their dead violated by the servants of the very Government to which they have rendered good and willing service.

Should a popular tumult break out, in consequence of these and similar acts, every life which may be lost will be a murder, and I should be wanting in my duty, both to my own Government and to the people of this country, if I did not point out to you distinctly the perilous ground on which you are treading.

We are not in an enemy's country, as from having proclaimed martial law you appear to believe, but in that of a friend and ally whom we are pledged to support, and whose subjects it is the most anxious wish of the British Government to conciliate. So far from being conciliated, the people are daily becoming more alarmed and exasperated, and I regret being compelled to record my opinion, that your acts, and those of the officers under your command, fully account for and justify the state of feeling which is spreading rapidly through this country.

6th. Copy of this letter, together with the deposition of the Syed regarding the tombs which have been destroyed, shall be submitted for the consideration and orders of the Right Hon'ble the Governor-General of India.

I have the honor to be, &c.

(Signed) ROSS BELL, Political Agent.

Camp Sukkur, 27th July, 1839.

Brigadier GORDON's Reply.

Sir,—I have the honor to acknowledge the receipt of yours of the 27th instant, relative to the destruction of tombs at this place, and in order to satisfy myself and the Right Hon'ble the Governor-General on the correctness of the statement made to you by the complainants, I have ordered a Court of Enquiry to assemble this morning for that purpose; and to enable them to do their duty, I have to request that you will furnish me with such evidence as may be in your power to assist them in their investigation. I have told His Lordship that I have ordered a Court of Enquiry to assemble, as being the only legitimate course I can pursue, in defence of myself and the officers under my command, from the gross and calumnious imputations cast upon them in your communication.

I have the honor to be, &c.

(Signed) W. GORDON, Brigadier.

Camp Sukkur, 28th July, 1839.

To the above no reply was given.

Major Wilson, President of the Court of Enquiry.

To ROSS BELL, Esq., Political Agent.

Sir,—A letter (No. 167) bearing date July 27, 1839, from your address, to Brigadier Gordon, has been laid before the Court of

Enquiry now sitting in the Mess Tent of the 23d Regt. N. I., to enquire into certain accusations of a most serious nature vaguely made by you against the Brigadier and the officers and men of the Force here stationed, in which letter acts of violence and insult are said to have been committed, and bodies taken from their graves and thrown into the river. I have, therefore, the honor to request that you will lay before the court some specific charge of violence or insult offered by any person belonging to the Force; at the same time you will oblige the Members of the Court by sending such evidence as you may deem necessary to substantiate the charge.

It would be desirable that the deposition of the Syeds be laid before the Court, and that the Syeds themselves, who made them, should be in attendance.

I have the honor to be, &c.

(Signed) GEO. WILSON, Major,
President Court of Enquiry.

Camp, Sukkur, 28th July, 1839.

Mr. ROSS BELL to Major WILSON.

Sir,—I have the honor to acknowledge the receipt of your letter of this date. It is I believe unusual that junior officers should assemble in a Court for the purpose of enquiring into charges laid against their Commanding officer, and of investigating their own conduct. Setting aside this objection, however, although it appears entitled to some weight, I consider such a court assembled for such a purpose as you state, to be illegal. The question has already been laid before the Right Hon'ble the Governor-General of India, by whom alone any instructions regarding it can be issued.

I have the honor to be, &c.

(Signed) ROSS BELL, Polt. Agent.

Camp Sukkur, 28th July, 1839.

Major WILSON to Brigadier GORDON.

Sir,—I have the honor to forward a true copy of a letter from Mr. Bell, in answer to one addressed to him by the Court, of which also I enclose a copy. You will see the difficulty in which the Court is placed by Mr. Bell refusing to produce the evidence on which a whole body of officers and men are judged and condemned by him unheard, and handed up to the highest authority as

guilty of the gravest Military offence. Under these circumstances the only means the Court have of obtaining evidence is to request you will order Commanding Officers and Heads of Departments to attend before the Court to give evidence as to their knowledge of the offences said to have been committed.

I have the honor to be, &c.

(Signed) GEO. WILSON,

Major and President.

Camp Sukkur, 29th July, 1839.

Agreeably to the above request, Commanding Officers and Heads of Departments were ordered to attend the Court.

Brigadier GORDON to the Chief Secretary to Govt.

Sir,—I do myself the honor to inform you, that, with reference to a letter to my address, No. 167 of the 27th instant, from Mr. Ross Bell, on a subject which is now occupying my most serious attention, and as it is very probable that a copy of that letter has been forwarded to the Governor-General of India, I beg leave to state that I have ordered a Court of Enquiry to assemble to investigate circumstances set forth in Mr. Bell's letters as being really the only legitimate course to pursue in defence of myself and the character of the officers under my command, from the gross and calumnious imputations cast upon us by Mr. Bell, in his communications

The proceedings of the Court of Enquiry on the case shall be forwarded to His Lordship when closed.

I have the honor to be, &c.

(Signed) W. GORDON, Brigadier.

Camp Sukkur, 29th July, 1839.

Brigadier GORDON to the Chief Secretary of Govt.

Sir,—I have the honor to forward true copies of letters on the subject of the accusation made by Mr. Bell in his letter to my address, and to request that you will be so good as to lay them before the Right Hon'ble the Governor-General.

His Lordship will perceive, from the tenor of Mr. Bell's letter, the temper of his mind displayed in his answer to the Court of Enquiry, with, in my opinion, no other view than to defeat the ends of justice.

His Lordship will be in possession of the grave and serious accusation brought by Mr. Bell against the officers of the Force before this letter can be received; but I am determined to have these accusations most closely investigated by the Court, which is now sitting, and shall forward by express the Proceedings as soon as they are sent in.

I have the honor to be, &c.

(Signed) W. GORDON, Brigadier.

Camp Sukkur, 30th July, 1839.

From Brigadier Gordon to the Chief Secretary to Government, accompanied with the Proceedings of a Court of Enquiry on certain grave accusations made by Mr. Ross Bell against the Brigadier and Officers under his Command.

Sir,—I have the honor to forward the Proceedings of a Court of Enquiry assembled by my authority to investigate certain accusations of a most grave and serious nature, conveyed in a letter to my address under date the 27th of last month, copy of which is herewith enclosed, and request you will have the goodness to lay the same before the Right Hon'ble the Governor-General for his most serious consideration and decision. But far off as I am from His Excellency Sir John Keane, who selected me for the high appointment I hold, I regret very much that any part of His Lordship's valuable time should be taken up to review the circumstances of a case in which I could have had no motive but the honor of the Army and the benefit of the Service to have influenced me, in submitting to the investigation of a Court of Enquiry the grave accusations preferred by Mr. Ross Bell against the Military Character of every individual belonging to this Force.

That Mr. Bell may have other motives which actuated him in making such a calumnious report of acts alleged to have been committed, may be inferred from what appears on the face of the Proceedings of the Court.

On a perusal of those Proceedings, His Lordship will perceive, that the Court of Enquiry have been able, by their patience and diligence, to elicit a great deal of satisfactory information in their examination of the most influential Syed of the place, whose evidence has thrown a light of truth on the subject, and exposed the mysterious darkness of Mr. Bell's machinations. The circumstance of Mr. Bell's refusing to comply with the request of the Court of Enquiry to his address for Evidence,

is an act so opposed to the dictates of reason and justice, and displays such a want of magnanimity, that it can only be answered in the silent language of contempt.

It would be supposed that all men placed in political authority would be anxious, from a feeling of honor and duty, to give any evidence they possessed in order to get at the bottom of so serious an imputation. But Mr. Bell declined, because he declared the Court of Enquiry assembled to investigate his accusation to be illegal. If he had made himself acquainted with the nature of a Court of Enquiry, he would not have betrayed the ignorance he has on the subject; and I will point out to him, that a Court of Enquiry is rather a Council than a Court, which any officer in Command may take advantage of, to assist him in arriving at a correct conclusion on any subject which it may be expedient for him to be thoroughly informed upon, sometimes to receive and methodize information only, at other times to give an opinion also on any proposed question, or as to the origin or cause of certain facts or circumstances attending to the conduct of individuals.

Anxious as I have always been to carry on the duties of the Force, it is not possible, and I am sure His Lordship will see it, that I can uphold its dignity or its character, or discharge the various important calls of the Service, to the satisfaction of my own Commander-in-Chief or the Supreme Government, under whose immediate orders I consider myself to be placed, if Mr. Bell should any longer be permitted to pursue that system of interference and that insolent style of correspondence, which I have remarked upon in my communications to His Lordship.

It is done, Sir, for no other object than to gratify a spirit of revenge and vindictiveness which has characterized every act of his towards my authority since the 11th instant, when I refused to attend to a recommendation in favour of Lieut. Laughton; and if I may be allowed to draw the attention of His Lordship to the fact of the correspondence which has taken place since that period, he will be satisfied, I am convinced, of the truth and justice of my remark.

It is far from my wish to recriminate; but Mr. Bell deserves so little consideration from the nature of his behaviour towards me, and the part he has taken so suddenly in favor of the natives, that I cannot abstain from laying before His Lordship a circumstance which may be viewed as, perhaps, one of the most arbitrary acts of authority ever exercised by a public Functionary. It is this:

Mr. Bell, a few days after his arrival at Sukkur, sent an officer, Lieut. Bishoot, one of his assistants, with a native officer's party to seize, in the middle of the night, the Siradar of Roree, a servant of Meer Roostum. This Siradar was dragged from his house at Roree across the water, and was seated in the open air for some days near Mr. Bell's Tent. This forcible seizure of one of the Ameer's Servants, caused a feeling of irritation against us for the time. The cause of the forcible seizure was, that the functionary of the Ameer had declined attending to a peremptory order of Mr. Bell to repair to his tent at the Sukkur side of the river. This was an act much more likely to cause a rebellion in the country than the simple fact stated by me to Mr. Bell in my letter, declaring that Martial Law and Martial Law alone should be the ruling order of this force, but which Mr. Bell has distorted to "shall prevail in this country." Now Mr. Bell could have altered the words of any observation. I cannot tell. I can assure His Lordship that from the letter and spirit of that declaration, it was never my intention to make the native population of this country amenable to Martial Law. It was only applied to the Military, troops and followers, and such inhabitants of the country as had domiciled themselves in my camp. In every instance His Lordship will observe, indeed in every act, however consistent with Military usage, I am opposed by Mr. Bell in his communication to His Lordship, without that reflection, or regulation which should be the guide of every public man in the discharge of his public duty, and from none so much as these characteristics required as from him who holds Political Power in an unsettled country. But it is incompatible with the nature of Mr. Bell's disposition even to act cordially with the Military, if the Commanding Officer is determined to do his duty and command his own Force, and check any thing like interference of the Civil power with the Military Authority.

In the exercise of his duty, Mr. Bell has not only proved himself totally unacquainted with the customs or observances of Military usage, but he has allowed himself to be led away by prejudiced feelings; and how far he has exceeded the powers of his instructions towards my authority, can only be left with His Lordship to decide upon. In bringing this letter to a conclusion I can only hope that there is nothing I have said which may be construed into disrespect, or that if I have betrayed in my language an unusual degree of warmth unbecoming the dignity of official correspondence. His Lordship will,

I trust, make some allowance for the wounded feelings of a servant of eight-and-thirty years in the Service, holding high rank and extensive powers of command, in which I have been placed by His Lordship and which it has ever been my anxious desire to uphold; who has been wantonly insulted by a Civil Servant of yesterday. It will be beyond belief of mind of honorable men the length Mr. Bell has gone to collect evidence to bear out the accusation he has made. In his official situation he has been able to induce natives to come forward and say what he pleased to dictate; and that the Servants in his office have attempted such despicable means to obtain information, is sufficiently proved. I shall bow with the profoundest respect to His Lordship's decision, but I earnestly pray that His Lordship will keep in mind that my character, and that of my officers, have been publicly accused to the highest authority in India, and that justice and truth demanded that His Lordship will in his wisdom, if necessary, call for such a commission as he may conceive to be desirable, in order that I may appear before that tribunal to refute the accusations and clear up the Military character of this Brigade from the foul and calumnious imputations which have been cast upon the whole of the officers composing it by the Political Agent in Upper Sindh.

I have the honor to be, &c.

(Signed) W. GORDON, Brigadier.

Camp Sukkur, 4th August, 1839. *Bombay Times*, May 19.

Mr. ROSS BELL to Brigadier GORDON.

Sir,—I have the honor to inform you that my letters, to your address of the 25th and 27th ultimo, were laid by me before the Right Hon'ble the Governor-General and that his Lordship's sentiments and instructions on the subject to which they relate have been communicated to me by the Secretary to Government, in a letter dated the 8th instant. To this letter I refer in order to account for my again addressing you on the subject in question.

2d. With reference to my letter to you, dated the 26th ultimo, I am very sorry that a misapprehension on my part, of the meaning which you intended to convey by the term "Martial Law" should have led me to comment as I did on the course pursued by you. Had I not believed that in applying the expression "Martial Law" you used it in the general acceptance, and meant that military law should be substituted for that of the country

occupied by the Troops under your command, I should never have recorded any remarks whatever on the subject in question. Construing as I did the tenor of your letter, dated the 18th, I apprehended the most serious consequences, and in my notice to you, on the 26th, adopted a tone which I should not even attempt to account for had it not resulted from the mistake which I have explained;—as it is, I beg you will accept this expression of the great regret I feel at having recorded the expressions contained in the 2d and 3d paragraphs of my letter, dated the 26th ultimo, and that you will return that communication to me in order that I may expunge the passages in question.

3d. When I wrote my letter to your address of the 27th ultimo, I was still under the misapprehension which has been explained in the preceding paragraph: the tone of the remarks also is the same, and I can only repeat the expression of regret which I have already recorded for those that were addressed personally to you.

4th I am extremely sorry that the remarks contained in the letter under consideration are understood to have been addressed to all the officers under your command. The letter was written in consequence of specific complaints made by the subjects of the Ameers, which are alluded to in the 4th paragraph, and to those complaints it appeared to me that the tenor of the 3d para. strictly limited the comments which has reference to them. I never for an instant imagined that the remarks would be regarded in any other light, nor did I suspect that the letter would ever pass out of your hand.—Although the complaints and evidence adduced in support of them contained details of particular tombs, yet the name of only one officer was mentioned, and that only by one deponent—I could not therefore specify names; and it appears that what I wrote has been understood in a much more general sense than was intended by me.

5th. As the best proof I can give of the regret expressed in the 3d and 4th Paras. of this letter, I have no hesitation in withdrawing my communication to your address of the 27th ultimo, and beg that you will return it to me accordingly.

6th. I request that you will cause this letter to be circulated amongst the officers under your command—A copy of it shall be submitted by me to the Right Hon'ble the Governor-General.

I have the honor to be, &c.

(Signed) R. BELL, Polt. Agent.

Camp Sukkur, 18th August, 1839.

Brigadier Gordon to Mr. Ross Bell.

SIR, —I have the honor to acknowledge the receipt of your letter of the 18th instant, received yesterday afternoon, and to inform you in reply, that as your letters of the 26th and 27th ultimo, to my address, have been, with the Proceeding of a Court of enquiry and other papers to which they materially refer, submitted for the consideration and decision of the Right Hon'ble the Governor-General of India, it is not possible for me to accept the explanation conveyed in your letter under reply, respecting the grave accusations contained in your letter of the 27th ultimo.

A copy of this and your letter, accompanied with my reasons for declining to accept the explanation contained in your communication, shall be transmitted for His Lordship's information.

I have the honor to be, &c

(Signed) W. GORDON, Brigadier.

Camp Sukkur, 20th August, 1839.

Brigadier GORDON to the Secy. to Govt.

SIR, —I have the honor to forward the accompanying copy of a letter to my address from Mr. Bell and my reply to that Gentleman, which I request may be laid before the Right Hon'ble the Governor General with the following observations on Mr. Bell's letter of the 27th ultimo to my address.

However much I feel inclined to accept Mr. Bell's explanation, I do not conceive it embraces those passages in his letter of the 27th which demand a stronger expression of his regret and denial of their truth than that which he has submitted; and I cannot forget that he sent a copy of his letter of the 26th ultimo to my address to the Bombay Government. Mr. Bell has not withdrawn his letter to the Court of Enquiry. His answer to the head of that Tribunal does not show, what he now wishes to prove, that the tenor of the 3d para. of his letter strictly limited the comments to certain officers of the Force. It cannot be so understood; for he has in the most distinct manner accused every officer as well as myself of being guilty of the acts he has stated, and that he has himself investigated the truth of his statement, and with deepest pain he has found it to be too accurate. Now, in his letter of the 18th, to my address, he states that the complaint and evidence adduced in support of his accusation contained details of only particular tombs being destroyed, and that the name of only one officer was mentioned, and that only by one

deponent; and he avoids any allusion to the graves: charges contained in the other paragraph of his letter, viz:—

“That of having trampled on the Syeds and outraged their religion—torn their dead from the grave, and thrown them into the river—that the local officers and subjects of the Ameers of Kyrpore are both alarmed and exasperated at the insults and injuries inflicted on them—that it is surprising that such proceedings have not occasioned an immediate and general rebellion amongst the Mussulman Population—that the feeling of resentment towards us is deep and bitter—that they are daily becoming more alarmed and exasperated, and the feeling is spreading rapidly through the country.”

In conclusion, as Mr. Bell's charges against myself and officers of this Force are made in such decided terms, and are stated by him to have been fully proved, I would submit for his Lordship's consideration whether the negation of their truth should not be made in as frank and explicit a manner; for it will not escape His Lordship that Mr. Bell, in offering to withdraw his letter of the 27th ultimo, does not allude to many of the charges which have given the greatest offence.

I have the honor to be, &c.

(Signed) W. GORDON, Brigadier.

Camp Sukkur, 20th August 1839.

Brigadier GORDON to the Mily. Secy. to Government.

No. 81. Camp Sukkur, Sept. 11th, 1839.

SIR,—I do myself the honor to forward the accompanying correspondence and papers between Captain Chibborn, the post Master at Sukkur, and the Department of the Political Agent in Upper Scinde, from an appeal from the former against Mr. Bell's power to relieve him from the charge of the Post office. I am quite at a loss to divine under what specific instructions Mr. Bell acts, in ordering an officer under my command, placed in charge of the Post office department by me, agreeably to directions of His Excellency Sir John Kean, and also in compliance with certain instructions conveyed in the para. of a letter from the officiating Secretary to the Government of India, Secret Department, dated 14th March 1839, to the Political Agent at Shikarpoor, to which para. I beg leave most respectfully to draw your attention.

The para in question impowers the Political Agent to place such officer as may be recommended to him by the Military Officer

in command, in charge of the Post Office, but it does not at the same time give Mr. R. Bell the extraordinary power he has thought fit to assume, to remove such officer from the functions of his office, without the sanction of the authority appointing him to it. Captain Chibborn has conducted the duties of the Post Department entirely to the satisfaction of the Public, and I cannot understand upon what grounds he shall transfer this officer to the Political Department, on the requisition of Mr. Bell.

I respectfully submit the case for the decision of the Right Hon'ble the Governor-General of India.

I have the honor to be, &c.

(Signed) W. GORDON, Brigadier.

To the Military Secretary, Simla.

To Brigadier Gordon, Commanding in Upper Scinde.

Sir,—With reference to my letter to your address, dated the 18th ultimo, and to your reply, I have the honor to inform you, that I have this day received a copy of the resolution dated the 5th instant, passed by the Right Hon'ble the Governor General on the subjects to which those documents relate.

2d. In your letter dated the 20th ultimo you merely stated that you would submit to the Right Hon'ble the Governor-General the exceptions which were taken by you to my letter of 18th ultimo. I have only now been made acquainted with the general tenor of them through the medium of his Lordship's Resolution, otherwise it would have been in my power to have obviated the necessity of their being submitted to Government, by rendering a more detailed explanation which would never have been made had I not designed that it should be perfectly explicit.

3d. I have already, in the 4th paragraph of my letter to your address of the 18th ultimo, stated that I never considered the remarks contained in my letter of the 27th July to apply to any, save the specific cases under enquiry. These were three in number, and out of twelve witnesses who deposed to the details alluded to in the 5th paragraph of my letter, dated the 27th July, all with the exception one, which has been already noticed in the 4th paragraph of my letter dated the 18th ultimo, professed themselves unacquainted with the names of those officers against whom the complaints had been laid. I was then prevented from making any definite communication to you on the point.

My remarks were general, but the application was intended to be specific and confined strictly to the cases referred to in the record.

4th. I much regret to learn, that the fact of my having omitted in my letter of the 18th ultimo, to refer specifically to the remarks contained in the concluding paragraph of that dated the 27th July, is considered to have left the explanation which the former was intended to convey incomplete. I believe that in the explanation contained in the 4th paragraph of my letter dated the 18th ultimo, the most convincing proof that I could give of my regret at the misunderstanding that had arisen was the entire withdrawal of the letter which occasioned it. This omission, however, is one which I willingly supply by stating in the most explicit terms that neither in the concluding paragraph, nor by any expressions contained in any other part of my letter of the 27th July, do I accuse, or had I the slightest intention of accusing, the body of officers at Sukkur, of the acts alluded to in the 4th paragraph of that communication, and commented on throughout.

I have the honor to be,

(Signed) ROSS BELL, Political Agent.

Camp Sukkur, 20th Sept. 1839.

Secret Department, Simla, 5th Sept. 1839.

Read a letter from the political Agent in Upper Scinde, dated 19th August 1839, with enclosures.

Read a letter from Brigadier GORDON commanding the Troops in Upper Scinde, dated 20th August, to the address of the Military Secretary to the Government of India, with the Governor-General, with enclosures.

RESOLUTION.

These papers relate to misunderstandings between Brigadier GORDON and Mr. BELL, which have been reported in former correspondence, and have reference particularly to the explanation offered to the Brigadier and the Officers under his command, by Mr. Bell apologizing for offensive expressions addressed to Brigadier GORDON in his letter of the 26th and 27th ultimo:—

In the first place His Lordship observes that much of the language used by Mr. Bell, in those letters, which is most objectionable, appears evidently to have arisen from his

misconception of the sense in which the "Martial Law" had been used by Brigadier Gordon.

In his letter of the 27th ultimo Mr. Bell, in the 3d paragraph, speaks of "the past acts and present conduct of Military Officers under your command," and in the concluding paragraph of the same letter he alludes to "your acts and those of the officers under your command;" and when the Governor-General first perused this letter through applying what related to Brigadier GORDON personally, as referring solely to Mr. Bell's misapprehension of the term "Martial Law," he certainly regarded the expression relating to the officers under the Brigadier's command, as casting a reproach on the body of the officers serving at Sukkur with relation to complaints which Mr. Bell stated to have been made to him by certain people of the country; and under this impression he directed a most severe reprimand to be addressed to the Political Agent, for committing himself by such unwarrantable imputations of a general nature, and required him to make such an explanation, as should be satisfactory to the parties aggrieved. On the receipt of his intimation, Mr. Bell addressed his letter of the 18th instant, to Brigadier GORDON, which was communicated for His Lordship's information in a letter of the 19th.

In considering this explanation in connexion with Mr. Bell's letter to Brigadier Gordon's address of the 27th ultimo, the Governor-General observes, that although the terms in that letter quoted above are of a general nature, they do not necessarily bear an universal interpretation as applying to the whole body of the officers at Sukkur; and while it is but fair that the writer should be allowed to explain his own words, there appeared evidence in Mr. Bell's explanation that those expressions could not have been meant to bear that extensive signification which Brigadier GORDON gave to them. While, therefore His Lordship fully accepts this explanation, and would attribute the use of expressions so unguarded and perilous (however in themselves wholly reprehensible) to haste and the excitement under which the letter was written, and on that account can pardon them when withdrawn and their offensive nature explained, he feels that the officers themselves should consider the offence cancelled as frankly as he holds them, and he hereby begs to assure them, that they are held fully absolved from any imputations which, when unexplained, the words in question appeared to cast upon them.

Entertaining these opinions, His Lordship has observed, with some regret, that Brigadier

Gordon has not accepted Mr. Bell's explanation in the same liberal spirit of interpretation which he is disposed to accord to it. The Governor-General would regard the withdrawal of Mr. Bell's letter to Brigadier Gordon's address of the 27th ultimo, as cancelling the whole of its contents without exception, particularly as he has explained, and apparently with good reason, that the offensive expressions, quoted in Brigadier Gordon's letter to the military Secretary, of the 19th instant, are to be taken as applying strictly only to certain specific complaints which had been brought before him. His Lordship cannot now perceive, as stated by Brigadier Gordon, that Mr. Bell, in the most distant manner, accused or means to accuse, the Brigadier and every other officer of being guilty of the acts he had stated in the 4th paragraph of his letter of the 26th, as having been reported to him; and, with regard to his investigation of the truth of the verbal, and no doubt exaggerated, statements made to him, as detailed in the paragraph, it appears from his explanation that in the course of this investigation the name of only one officer was mentioned, and that only by a single witness. His withdrawal of the whole letter, and his explanation that these statements and the investigation of them had been misunderstood as connected with the mention of the officers, and the expression of his regret both for the language of the 3d and 4th paragraphs of his letter, and for the misconstructions that had been put upon them, might, His Lordship thinks, have been sufficiently satisfactory.

The only important omission which His Lordship remarks in Mr. Bell's explanation, is his referring to the 3d and 4th paragraphs of his letter of the 27th, and passing over the more general and objectionable expression contained in the concluding part of the last paragraph. This omission should be pointed out to Mr. Bell; and as His Lordship cannot harbour a doubt of the sincerity of his assurance, and his wish to efface from the minds of the officers at Sukkur every suspicion that can remain regarding his late explanation, it may be suggested to him that an explanation of the concluding part of his letter, similar to that which he has given of the 3d and 4th paras., is required for the full satisfaction of the Military officers at Sukkur; and His Lordship trusts that when this is made, Brigadier Gordon will consider the withdrawal of the letter of the 27th ultimo, as a sufficient disavowal, as applicable to them, of all other parts of that letter which have hurt the feelings of the Brigadier and the officers under his command.

His Lordship would have been better pleased it, previously to making public a letter which appears, upon the face of it, to have been written in terms of passion and exaggeration. Brigadier Gordon had given to Mr. Bell an opportunity of retracting or of modifying his expressions; and he regrets that the Brigadier decided immediately upon adopting a course by which differences, much to the injury of the public service, would probably be widened and exaggerated. He is glad, however, under all the circumstances, to hold Brigadier Gordon and the officers under him to be fully absolved from the imputations in question, and has already expressed his desire that assurances be given them to this effect. The Governor-General has observed with satisfaction, the readiness with which Mr. Bell submitted to his Lordship's pleasure as communicated to him in Mr. Torrens's letter of the 8th ultimo; and His Lordship accepts the expression of his regret for that which had caused His Lordship's displeasure, and of his resolution to adhere for the future to the course prescribed for his conduct. The Governor-General doubts not that in undertaking to remove the grounds of offence which his letter to Brigadier Gordon had occasioned, and to make such a reparation as laid in his power for the injury which had been felt by those to whom his offensive remarks were understood to apply, Mr. Bell had resolved to conceive in his explanation, every thing which an honourable mind could require from him.

The foregoing observations have pointed out wherein Mr. Bell's explanation appears to His Lordship deficient; and as His Lordship feels convinced that Mr. Bell is disposed to make his explanation as full and satisfactory as possible, it will only be necessary to refer him to His Lordship's observations on the omission to notice the offensive expressions in the paragraph of his letter of the 27th, in notifying which he will have an opportunity of declaring, in more direct terms, than he has already done in his letter of the 18th instant, that he did not accuse, or mean to accuse, the body of officers at Sukkur of the acts alluded to in the 4th para of that letter; and the Governor-General thinks that a positive assurance to that effect is all that will be required to satisfy those officers that no insult or injury was intended, and that no accusation was made by Mr. Bell against them. His Lordship extremely regrets that expressions so strong and so general should have escaped Mr. Bell in a case resting upon the testimony of a single witness, against a single officer.

The Governor-General is desirous to consider the disputes which have called for this declaration of his opinion, finally closed. It remains, therefore, only for him to express his general sentiments on a point which has evidently been instrumental in producing dissensions between officers whose bounden duty to the Government which they serve it was, and always it must be, to merge all personal feelings and official pretensions in zeal for the public interest. The matter to which his Lordship alludes is that tenaciousness of their own authority and readiness to interfere with the authority of other distinct functionaries, which make those who are most sensitive of any encroachment on their own power and prerogative, the very persons likely to infringe the just and proper authority of others. To cavil about trifles in the intercourse of official life, betrays not more the absence of generous and high-minded principles, than a readiness to postpone to selfish considerations the performance of duties owing to the state. Every indulgence in harsh and acrimonious language in official correspondence, falls under this censure, and no one can in any degree give way to it without losing somewhat of the confidence which Government would otherwise have placed in his judgement and discretion, as detracting from his trustworthiness, and even lessening his claims to high and confidential employment. The Government has the strongest reason to expect that every one of its servants to whom it confides the discharge of responsible duties will, from the moment of assuming such charge, discard all private feelings of pique and animosity that may interfere with the impartial and unprejudiced performance of public duty, and will manifest a spirit superior to the influences of party or personal motives. Those who appear ready to sacrifice their public duty to the indulgence of private resentment, can have little right to look for future patronage or distinction.

The Governor-General will make no particular application of these observations, but he desires it to be plainly understood, that he will no longer permit the unseemly display of personal and official differences between the military and political authority in Upper Sindh, and that he requires for the future, from both parties, such steady and efficient co-operation as they must well know to be essential towards working out those plans of Government which is the object of their services in that quarter.

Ordered that a copy of this Resolution be transferred to the Military Department, with

the papers received from thence on the 3d instant, that such orders as are necessary may be issued from that department.

Ordered that a copy of this resolution be communicated to the Political Agent in Upper Scinde, in reply to his letters of the 8th, 19th and 20th ultimo.

I have the honor to be, &c.

(Signed) T. H. MADDOCK,

Sery. to Govt. of India.

To Col. Macdonald, Milty. Secy. to Sir John Keane.

Sir I have the honor to enclose herewith copy of a resolution passed on the 5th instant, by the Right Honble the Governor-General of India in the Secret Department, on correspondence that passed between Mr. Ross B. H., Political Agent in Upper Scinde, and myself.

As His Lordship's decision on Mr. Bell's letters of the 26th and 27th July last to my address, is unsatisfactory both to the officers of this Brigade and myself; and His Lordship, by considering the dispute finally closed, has precluded me from submitting to him any further remonstrance on the subject, I must earnestly entreat the attention of His Excellency the Commander-in-Chief Sir John Keane, K. C. B. and G. C. H., to my appeal.

I have been grossly aspersed and calumniated by Mr. Ross Bell, in the exercise of a Brigade of the Army of the Indus under His Excellency's Command, and as that Gentleman is permitted to remain at this Station and conduct the Political duties in Upper Scinde, after the foul and calumnious attack he has made on the honor and character of the officers of the force, I have no alternative but to tender my resignation of the Command of the Troops in Upper Scinde, and to solicit His Excellency's permission to proceed to Bombay, or any Command to which His Excellency may be pleased to appoint me. I trust my appeal cannot be construed as disrespectful in any way to the Right Honorable the Governor-General, but I feel I can no longer carry on the duties of the Force to the public advantage, in connexion with a gentleman whose temper and bearing towards the military, and determination to misrepresent my acts, and to interfere with my authority, are displayed so unequivocally in his

correspondence of the 26th, 27th, and 28th July last.

(Signed) W. GORDON.

Camp Sukkur, Sept. 30th, 1839.—*Bombay Times*, May 22.

PROCEEDINGS of a Court of Enquiry, holden this Twenty-eighth day of July, One thousand, Eight Hundred and Thirty-nine (and continued by adjournment) by Order of Brigadier GORDON, Commanding in Upper Scinde, to investigate a subject to be laid before it, of which Major WILSON, 23d Regiment N. I., was president.

Brigadier Gordon, Commanding in Upper Scinde, appears in Court, and begs leave to produce to the court a letter (No. 167) marked A from Mr. Bell, to him, the Brigadier's address, which letter he wishes to have read to the Court and annexed to the proceedings.

The Brigadier states that what Mr. Bell alludes to in the para, in which are the words "in continuation, &c." is now before the Governor-General of India. The force arrived here on the 21st of March last. I was met by Major Billamore, Commanding the fortress of Sukkur, and Lieut. Laughton, of the Bengal Engineers: the former gentleman had been previously written to about hitting the men of the Brigade. After some conversation Lieut. Laughton proceeded to point out to the best ground for the Cantonment, which I fixed on that morning, to prevent any delay in the work. I saw Lieut. Estwick the same morning, and in riding to the Brigade Camp, (if I recollect aright) I said to that gentleman, "as we are now so completely in the midst of ruined tombs, it will be as well to issue an order on the subject, for their preservation: write to me officially on the subject." A memorandum on that subject was circulated to the Troops, and subsequently an order was issued, bearing date April 12, 1839, which was as follows: "para 2d.—Commanding Officers are directed to issue the strongest prohibitory orders to their men against the wanton destruction of tombs, and of the buildings in the vicinity of Camp, para 3d.—Lieutenants Jacob and Currie will be pleased to order the European Soldiers of their detachment parade in roll call order at the Minaret this evening, under their Serjeants." With reference to Mr. Bell's letter of complaints before the Court, I have been in utter ignorance of any, save the one made to me, which induced me to issue the above order. Soon after my arrival, I ordered a commanding

spot to be selected for a battery. I was sick and could not attend personally to the arrangement, it was left to the Major of Brigade and the Artillery officer, and one of the most commanding situations was fixed upon. The clearing away of the hill for the battery proceeded but slowly for want of work people, and it is not yet completed. It was only yesterday I learnt that in digging, a coffin was found, and which was carried away and reburied. It was reported at the same time, that this and other matters of complaint were getting up against me by Mr. Bell, the Political Agent. This proved perfectly correct, for that evening I received the letter (No. 167). We are, as you well know, gentlemen, encamped in rubbish and amidst ruined tombs. Scarcely a spot could be found where, by digging, a coffin or bones could not be found all round camp, above and below is the same, Mr. Bell is I believe, residing in one at this moment, and which has been made a comfortable habitation by Lieut. Loughton, of the Engineers. I have looked round Sukkur, and the present is the only ground on which we could have fixed to keep the troops in health. It was indeed pointed out by Lieut. Loughton, as a most desirable spot for the Cantonment, and I considered him to be the best judge, as he had been at Sukkur for some time. I do, Gentlemen, most solemnly declare, that no complaints, as stated by Mr. Bell, have come to my knowledge, except the one alluded to; and my orders and directions will shew how anxious I have been to protect these ruined tombs. The spot Mr. Bell is now building on an island in the Indus, is no doubt a place of sanctity, for I observe the old bricks which generally form the foundation of the places, lying about in great abundance. I particularly require the Court to keep in mind, that although Mr. Bell has been here nearly two months, not one syllable of complaint against the Troops or myself was ever made. It commenced, gentlemen, about the 11th instant, when Mr. Bell and myself ceased being acquainted with each other; from that moment I have had nothing but office correspondence of a most vexatious nature, and couched in the most dictatorial language, which has been sent to Simla to be laid before the Right Hon'ble the Governor-General. Being cut off as I am from communication with His Excellency Sir John Keane, I have now only to request, Gentlemen, that you will recollect all the information you can regarding the accusation from Mr. Bell, and do your duty without favour or affection.

Q What led to the promulgation of the orders issued on the 12th April?

A. A report of the Brigade Major, that some European soldiers had been accused of destroying some part of a tomb within the Camp limits.

Q. Can you inform the court what Mr. Bell alludes to in making use of the words "Martial Law" and "Military violence?"

A. Martial Law has been mentioned in an official letter to Mr. Bell as being the only manner in which I have ever heard of a field force with its followers being kept in order; but Mr. Bell, seems to have tortured these expressions of mine into a meaning which they do not, and were never intended to, convey: these and other allusions are now before the Governor-General of India, and are not subjects for the consideration of the Court.

Q. Was the letter (No. 167) accompanied by any deposition or any specific complaints against any officers or men belonging to the force?

A. None.

The Evidence withdraws.

The Court deems it necessary to address the letter marked B, to Ross Bell, Esq., Political Agent; as also the one marked C, to Lieut. Eastwic, Asst. to the Political Agent, Shikarpore.

The Court is adjourned till to-morrow forenoon, Monday, July 29th, 1839.

Monday, July 29th, 1839.

The Court re-assembles this morning, pursuant to adjournment, and proceeds to read a letter from Mr. Bell marked D. At the stage of the proceedings the Court cannot help, recording the extraordinary circumstance of a body of officers and men being tried and condemned unheard, and handed up to the highest authority, without being afforded a single opportunity of refuting the charge laid against them, and now being denied access to the evidences on which they have been condemned.

The only course left to the Court is, to request that the Brigadier will direct commanding Officers and heads of Departments, to attend the Court to give evidence as to their knowledge of the offences said to be committed. The letter marked E. is written.

Captain Clibberne, Major of Brigade, is called into Court and questioned as follows:

Q. Are you aware of any acts of violence or insult, offered to the inhabitants of this country, by persons composing this Force, or thier religious edifices and sepulchres?

A. The only one I can bring to my recollection is a complaint made against some European soldiers by Meer Abbas Ally, for throwing down a small carved stone near a minaret, which contained a Lamp burnt at the Tomb; and on that occasion the order of the 12th April was issued, desiring the European Detachments to be paraded, in order that the offenders might be identified; this is the only complaint of injury to thier buildings. There have been, as there always must be in large forces complaints against sepoys for misconduct; these have been investigated, and the offenders, when the charge was brought home to them, punished; and measures have been adopted to prevent recurrences of the offences, by placing Takidars in Sukkur.

Q Did you assist in choosing a site for the battery ordered to be erected?

A. Yes; I was ordered by the Brigadier, in consort with Lieut. Jacob, to select a situation for a battery; we visited every likely spot through Cantonment, but could find no suitable one save that now preparing, on which there was an appearance of old graves, but no built tombs. On removing the earth on the top of the hill, I understood that a coffin had been found: this was removed and carefully re-buried an a spot which was afterwards pointed out to me lower down on the same hill. I was present on the hill an evening or so afterwards, when a native came to make enquiries about the body. He asked permission to remove the coffin, as he wished to bring it to Sukkur, which was of course granted, and he removed it a morning or so afterwards.

Q. Did the native appear aggrieved or insulted by the act committed?

A. No, not in the slightest; he entered into conversation; appeared pleased with the act of the body being re-buried; enquired what was doing: on being told that guns were to be placed there, said he would take away the body. He also said it had some time back been brought from Shawulpoor.

Q. Has any instance come to your knowledge of a body being exhumed and thrown into the river?

A. Never; and I feel certain that such could not have happened in or near the Camp, without my hearing of it.

Q. To your knowledge, are any other graves disturbed?

A No; not to my knowledge.

Q. Do you know of any instance of their religious feelings being offended?

A. I know of no person whose religious feelings have in any way been insulted. I am aware that many buildings and ruined places are occupied by Officers, and for Government stores; this is much encouraged by the Syeds themselves. I occupy the ruins of a building, and have been requested by different Syeds to repair it, and they never made the slightest objection to my living there.

The Evidence withdraw.

Lieutenant Bate, Deputy Assistant Commissary General, Bombay Army, appears in Court, and the letter (No. 167) is given him to read.

Q. Have any acts of violence or oppression towards the natives of this country come within your knowledge, by officers, soldiers, or camp followers belonging to the force?

A. None.

Q. In the course of your duties, have you any communication with Syeds of this country?

A. Yes; on the first arrival of the Troops at this station, they, the Syeds, were frequently with me.

Q. Are you aware of any ill-feelings in their minds towards the British Government, in consequence of acts committed by officers under Brigadier Gordon?

A. From the conversations I have with them, I should say quite the reverse,—the general feeling being most favourable.

Q Have you any means of knowing whether they, the Syeds, consider the occupation of the buildings or tombs about camp for public or private service, to be an injury or insult to themselves or their religion?

A. No; I am occupying one for the Government stores,—I was asked by the Syeds why I did not repair it, instead of building other store rooms.

Q. Do you know of any bodies having been turn from their graves and thrown into the river?

A. None.

Q. Have you, from your official situation, the means of knowing the feelings of the natives of the country towards the British Government?

A. Yes; I think I have, from the extensive and constant purchases I am daily in the habit of making among them.

Q. When you were at Khyapore, to which place you went on duty, what did you consider the feelings of the people towards the British Government?

A. It was impossible for men to have rendered me more assistance than they did, from which I naturally infer, that their feelings were most friendly towards us.

Q. Are you aware of any change in their feelings towards the British Government in consequence of any act committed by the officers under Brigadier Gordon's command?

A. None.—The evidence withdraws.

Lieutenant Laughton appears in Court, and the letter (No 167) is given him to read.

Q. Have you had much intercourse with the Syeds since the arrival of the Bombay Troops at this place?

A. With some of them; one of them was my Native Agent for some time.

Q. Did either of them express any dissatisfaction at the way in which the Troops were behaving at this place?

A. Abbas Ally Shaik Syed complained to me of a chingah, a large stone placed at the head of a tomb for a light, being broken by some European Soldiers; the tomb was near Moohoom, at the Mineret. I repaired it; the European troops were paraded, but the complainant could not identify the men. He was much distressed about it, and I repaired it for him.

Q. Are there any other instances of complaints being made by him or any other Syed; if so, what was the nature of them?

A. Some time ago, I don't exactly recollect now, being about two months ago, he, the same Syed, mentioned some other tombs having been destroyed, and the remainder thrown into the river.

Q. Did you report the circumstance to the Brigadier?

A. No; I don't recollect having done so.

Q. Do you know that the tomb was destroyed and the remainder thrown into the river from your own personal knowledge or from the report made to you?

A. Only from report.

Q. Do you know the particular tomb which the Syed alluded to having been destroyed, and the same thrown into the river?

A. No.

Q. Did you hear any jeering among the soldiers, or expressions such as the "holy men have embarked for Mecca;" "your fathers have gone on a pilgrimage;" or were such reported to you as having been used?

A. I do not recollect the whole of the conversation that occurred at the time.

Q. Are you aware of there being any feeling of resentment in the minds of the Syeds towards the British Government, consequent on any acts of the Military under the orders of the Brigadier?

A. No; I am not aware of any such feeling existing.

Q. Which do you consider the greater sacrilege, the breaking a Chingah, or exhuming a body and throwing it into the river?

A. Of course throwing a body into the river is the greater.

Q. In the first case you reported the circumstance of the soldiers having broken a Chingah. Why did you not do so in the second?

A. I cannot recollect whether I was ever asked to do so: in the first case I was asked to do so.

Q. Have you the means of forming an opinion, as to whether the Syeds of this place consider themselves and their religion to be insulted by the general conduct of the Military officers under command of Brigadier Gordon, or have the Syeds ever reported such to be the case?

A. I have been told they are very much annoyed at the destruction of tombs; but more I am unable to speak to.

Q. You have said that one of the two Syeds with whom you have intercourse was your native Agent; do you know in whose service he is at present?

A. In the service of the political Agent.

Q. Are you aware of any tombs or religious buildings in Camp having been forcibly taken possession of from Syeds or others, and which are at present occupied as public buildings by officers belonging to this Force?

A. Lieutenant Bate occupies one with Government stores, to which no objection

was made. I heard from Captain Carless that a guard was placed at the minaret, but I did not see it myself.

Q. Was the building near the minaret ever occupied, and by whom?

A. It was occupied by Cap. Carless.

Q. Was it with or without the sanction of the Syeds?

A. With the sanction of the owners.

Q. You mention that you know another Syed—did you ever hear him complain of the acts of the troops?

A. No; I do not recollect his ever doing so.

Q. Do you know why the Syed, after having preferred his complaint regarding the remains of the body, remained silent, and did not renew it until three days ago, as appears from Mr. Bell's letter of the 27th July 1839?

A. No.

The evidence withdraws, and Captain Carless appears in Court. Mr. Bell's letter (No 167) is given him to read.

Q. Do you know of any hostile feeling existing among the Syeds of or near this place towards the British Government in consequence of the acts of the troops under Brigadier Gordon; or do you know of any acts having been committed likely to lead to such a feeling?

A. No; till yesterday I was perfectly ignorant that any such opinion was entertained by any one.

Q. Do you know of any body having been removed from its grave, and what circumstances attending it?

A. Yes; about six weeks ago (I think it is) at the battery now in preparation, I saw a body lying on a cot covered with a sheet, and five Scindians were preparing to carry it away; one appeared to be a Syed, the others Scindians. They evinced no hostile feeling whatever—it struck me the body had been dug out of the hill.

Q. Are you aware of any tombs or religious buildings in camp having been forcibly taken possession of from Syeds or others, and which are at present occupied as public buildings by officers belonging to the force.

A. No; I have no means of ascertaining that point; there is a private house in the centre of the sepoy lines at present occupied by my office, and with the permission of the

Brigadier. There was neither roof or doors to it when the troops first arrived here, both of which have since been supplied—the former, the roof, by myself.

The evidence withdraws, and Ghoolam Hyder Ali Syed, a Moonshee in the service of the Post Master, appears in Court, and Ensign J G. Forbes, 23d Regt. N. I., appears as Interpreter to the Court.

Q. Are you aware of any dead body having been exhumed, and thrown into the river.

A. I do not know of any such thing.

Q. Do you know of any insult or violence having been offered to the Syeds by the troops at this station?

A. No violence has been offered to any one, and the people of this country are invariably paid for the work they perform.

Q. Do you know of any complaints against the troops having been made to captain Chibborne, the Brigade Major?

A. There are frequent complaints, which captain Chibborne investigates.

Q. Is it the custom of the country to remove a body from one place to another?

A. Bodies are frequently kept in one place for four or five months together, and then removed to the family burying grounds.

Q. Do you know of a body having been dug out of the hill now erecting as a battery?

A. I did hear of a body being dug out of the hill where the guns are placed, which was taken away, and re-buried by the friends of the deceased.

Q. What remark did the friends make on taking away the body?

A. They made none.

The Court is adjourned till to-morrow 10 A. M., July 30th 1839.

Tuesday, July 30th, 1839.

The court re-assembles this forenoon, pursuant to adjournment, captain Scott, Acting Sub-Assistant Commissary General, appears in Court.

Q. Are you aware of any acts of violence committed by any person in your department, or other people belonging to the force?

A. No.

Q. From your official situation, and in the course of your duties, have you ever any communication with the Syeds of the country?

A. With one, the owner of the house in Sukkur, occupied by the Commissariat.

Q. Are you aware of any ill-feeling existing in the mind of the natives of this country towards the British Government?

A. No; on the contrary, I should say the reverse was the case.

Q. Have you ever had any conversation with the Syed above alluded to, regarding the exhuming a dead body in camp?

A. Never.

Q. Do you occupy the religious buildings or tombs in the Cantonment, and if so, is it by permission of the owner?

A. I occupy a house on the bank of the river, which was made over to me by Lieut. Wood, Indian Navy, which he previously occupied. I never heard any objection made to my living in it.

The Evidence withdraws, and Shere Mahomed, Chowdree of the Grenadier Regiment N. 1., appears in Court.

Q. Who are you?

A. I am of holy family Pa Geoseh: the principal Mosque in Sukkur has belonged to my family for seven generations.

Q. Do you know of a dead body having been dug up and thrown into the river; if so, state the particulars?

A. I know of no body being thrown into the river. There is a Syed by name Abbas Ali in the service of Mr. Ross Bell, formerly in the employ of Lieutenant Laughton, who took my brother, by name Faqeer Ali, before Mr. Bell. The Syed told my brother "that if he would give evidence that there had been acts of oppression by the Bombay troops in digging at the top of my hill, or exhuming bodies and throwing them into the river, he would get 500 rupees reward." Mr. Bell inquired of my brother if he knew of any bodies being dug out of the hill and thrown into the river. My brother replied he knew of none; but that of a coffin which contained the remains of my uncle. A Moonshee then produced two papers, petitions which he requested my brother to sign, but my brother would not, and said he would neither make a complaint or take the money. That Syed Abbas Ali wrote a letter to my father, and the translation with the original is affixed to

the proceedings. Some time after this Abbas Ali Syed, came into the village of Chuppre to collect all the people, and took them to Mr. Ross Bell to make complaints against the Bombay troops that they had been oppressing them. I desired the Cutwal to forbid the people going, and said, who are oppressing you? has any one beaten or insulted you? do you not go and complain; if you do, you will lose your character for telling a falsehood, and your master will lose his. I do not exactly know whether they went or not. I asked the people when they were assembled if they had any complaints? and they said, no, they had not. Abbas Ali Syed, is a man of disreputable character; he was dismissed from Mr. Laughton's service for embezzling money.

Q. How often to your knowledge did Abbas Syed go to Chuppre or Sukkur to instigate the people to make complaints against the Troops?

A. I saw him once only in Chuppre yesterday evening, to reproach the people for not going and making complaints to Mr. Ross Bell. I was sitting in the Cutwal's—Omeed Ally Shaw Syed's house. I heard Abbas Ali speak to the people to the effect I have mentioned; he also told them to come the next morning; there was a great number of people. A Kahfah named Wanyeah was present, and a Carpenter by name Chuttah.

Q. When did your father receive the letter, produced by you to the Court, from Abbas Ali Shaik Syed?

A. Yesterday morning, 29th July, 1839.

Q. Did the parties summoned go?

A. No; they replied, what business is it of yours to call us?

Q. Do you know of any acts of violence committed on the natives of the country by the troops of this station, either in Korce or the vicinity of Camp.

A. I know of none; how can they be so, when they get more money from the European Troops, than they get from their own people.

Q. Do you know of any insult offered to the Syeds or to their religion?

A. No.

Q. Do you know of any Mosque or Tomb having been despoiled or defaced?

A. None that I know of.

The evidence withdraws; and Faqeer Ally appears in Court, and states that he is brother of the preceding Witness Shera Mahmood:

Q. Do you know of any body having been dug up, and what has become of it?

A. Yes; the body of my Uncle was taken from my hill.

Q. Where is the hill?

A. In the Camp, and is being prepared for guns.

Q. What was done to the body?

A. I took the body away and buried it in another of our family burying grounds.

Q. During the time the body was being dug up, or when you were removing it from the hill, were you insulted by any person of the Troops here?

A. No one insulted, laughed, or jeered me during the time the body was dug up, or when I was removing it.

Q. Did you make any complaint at the time the body was dug up, or subsequently?

A. No; I did not.

Q. Has any one endeavoured to persuade you to make a complaint on the subject?

A. Yes; Abbas Ali Synd came to my father's house and asked me to go with him to Mr. Bell's and said 'you will have money for so doing.' I went and consulted with my father and then went to Mr. Ross Bell's.

On arriving there, the subject of the corpse having been dug out of a hill and thrown into the river was broached; and a Moonshee there seated gave me a petition in which it was written—"that a corpse had been dug out of the hill and thrown into the river. I read the petition and the Moonshee asked me to sign it. I did not do so, and the Syed took me by the hand, and tried to make me put my seal on it: the Moonshee also said, I should have a reward for doing so. I would not sign the petition, because I knew it was false, although repeatedly asked to do so. Mr. Bell's Moonshee also said to me, "do you know if your Uncle's body was thrown into the river?" I replied, my Uncle's body was not thrown into river, but that we had buried it. The Moonshee then said to the Syed, "whose body was it that was thrown into the river—bring his heirs to speak about it to them?" the Syed replied, "he has no heirs, I am the only person who can speak about it." The Moonshee then added—"you must

get another witness, one is not enough". I was then asked by Mr. Bell's Moonshee, "Did you make any complaint on the subject?" I answered, no; there was no complaint to make. The Moonshee also told me that "whatever compensation I asked, I should get." I valued the tomb on the hill at about 300 rupees; the Moonshee said, "fix your own price, Sahib will write it down, and you will get it." After this the Moonshee again asked me to affix my seal to the petition. I did affix my signature, not seal, to the petition, which was to the effect, that I should be repaid the value of the tomb on the top of the hill from which the corpse was taken and also for the place where it was re-interred.

Q. Who brought you from your house?

A. Abbas Ali, accompanied by a Chupprassee of Mr. Bell's

Q. Was Mr. Bell present when the conversation took place?

A. I did not see Mr. Bell.

Q. Did the Moonshee speak to you of any other complaints?

A. No; the Syed said, if you hear of any other complaints do not forget them, they will now be investigated.

Q. What is the name of the Moonshee in question?

A. I know him by sight only, not by name.

Q. Had Abbas Ali, not come, should you have gone with any complaints?

A. No; had I had a complaint, I should have made it to the Sahib who was on the hill.

The evidence withdraws, and the Court Adjourns till to-morrow at 10 A. M., July 31st, 1839.

Wednesday, July 31st, 1839.

The Court re-opens this day at 10 A. M. pursuant to Adjournment.

Dull Singh appears in Court.

Q. Who are you, and in what employ?

A. I am a Rajpoot in the employ of Meer Rustom Khan, the reigning Prince of Khyapore.

Q. Are you aware of any acts of violence committed by the officers and troops here stationed against the natives of the country?

A. No; I know of no violence.

Q. Did you ever here of any complaint of violence or oppression committed by any one ?

A. No ; I am a Resident of Bukkur and frequently go to Roree, but have never heard of any.

Q. What office do you hold in the Fort ?

A. I am a Jemedar in charge of the Ameer's flag, and the Meer's Agent in Bukkur.

Q. Do you know of any destructions having been committed, or any religious edifices destroyed, bodies torn from their graves, and thrown into the river ?

A. I do not know of any tombs or religious edifices defaced, nor did I ever here of a body being torn from its grave and thrown into the river.

Q. Do you know many of the Syeds of this place ?

A. I do not know them.

Q. Do you know if the Syeds are in the habit of making complaints, or did you ever hear of any being made in bazaar reports.

A. I heard that the Syed who had been in Mr. Laughton's service, had gone with a complaint, that a body had been torn from a grave, and thrown into the river.

Q. Did you hear where it was said to be taken from, and when ?

A. The report was that it was taken from the hill about seven days ago.

Q. Is there any cause of dissatisfaction among the natives of this country towards us ?

A. The people of Bukkur, where I reside, are very much pleased with the troops, and I can hear nothing to the contrary wherever I go.

The evidence withdraws and Faqueer Ally is recalled into Court.

Q. How long is it since the body of your Uncle was dug up and removed from its grave ?

A. Between forty and fifty days.

Q. On what day did you sign the petition regarding the compensation for your hill ?

A. Four days ago—the date is affixed to the paper.

Q. Did you sign the petition in Mr. Bell's presence, or was it read over to you in Mr. Bell's presence ?

A. No ; I did not see Mr. Bell on that day.

Q. When you was taken by Mr. Bell's chuprassee, to whose house did you go ?

A. Mr. Bell's Chuprassee took me to Mr. Laughton's house, from whence I went to where a bungalow is building, and there the Moonshee was.

Q. Before you signed the petition, did you read, or was the whole of the petition read to you ?

A. I did read both of the petitions.

Q. Was there in the paper you signed anything besides the subject of your having compensation.

A. No.

Q. When you signed the petition who were present besides the Syed and Moonshee.

A. There were others there ; but I do not know if they heard the conversation.

Q. Were there any witnesses to the petition you signed, and if so, who were they ?

A. No ; there were none.

The Evidence withdraws, and the Cuiwal of Couppree—Oomood Ally Shaik Syed—appears in Court, and is questioned as follows :—

Q. What kept you from attending the Court before this hour ?

A. I was not well.

Q. Did Abbas Ally Syed come to your village a few days back, and for what purpose ?

A. Yes ; three days back, and said if you have any complaints, come and make them to the Burah Sahib, and he will hear them.

Q. Did you make any complaints ?

A. Why should I make complaints ? there is no violence or oppression made use of : the only complaint I have is, that some date trees have been cut down.

Q. By whom have the trees been cut down ?

A. By Abbas Ally Syed, in Mr. Laughton's employ, to construct a water-wheel which is being made by him.

Q. Have you heard of any acts of violence committed by the troops here ?

A. None.

Q. Did you ever here of any body being exhumed and thrown into the river ?

A. No ; I never heard of such a thing.

Q. Did Mr. Bell's Moonshee ever come to your village ?

A. No.

Q. Did Abbas Ally Syed endeavour to persuade you or any one to complain of the conduct of the troops encamped about your village ?

A. He said, " assemble yourselves together to make a complaint." I replied, if I have any complaint to make about people coming into my gardens, I go to the Brigade Major, and he sends a man to turn them out.

Q. How is your village, Chuppre, situated regarding the Camp ?

A. In the Camp.

Q. Did you ever make any complaints to the Brigade Major ?

A. Yes ; I have sent my servant occasionally to make complaints to the Brigade Major, and they have always had redress.

The evidence withdraws, and Momyeath appears in Court.

Q. Did you, within the last four days, hear any conversation between the cutwall of Chuppre and Abbas Ally Syed ?

A. Yes, he said assemble your people together, and if they have any complaint to make, the great man will hear them."

Q. Have you heard of any violence being committed by the Troops ?

A. No ; except about some date trees cut down by the Sahib.

Q. Have you heard of any destruction of graves by troops, bodies taken from their graves, and thrown into the river ?

A. No ; I never heard any thing of the kind.

The evidence withdraws, and the Court adjourns till to-morrow at 10 A M., 1st August, 1839. — *Bombay Times*, May 29.

PROCEEDINGS of a Court of Enquiry, holden this twenty-eighth day of July, One Thousand Eight Hundred and Thirty-nine, (and continued by adjournment) by Order of Brigadier GORDON, commanding in Upper Scinde, to investigate a subject to be laid before it, of which Major WILSON, 23d Regiment N. I., was President.

Thursday, August 1st, 1839.

The Court re-assembles pursuant to adjournment, and Lieut. Laughton appears in Court.

Q. How long is it since Abbas Ali Syed left your service ?

A. About the 25th of last month, July.

Q. On what account did he leave your service ?

A. I gave him his discharge as Mr. Bell had asked me for him about the beginning of July.

Q. Did you recommend to the Brigadier the lines to be erected in the site where they are at present being built ?

A. No ; they are made according to the Brigadier's orders.

Q. Did you recommend any situation for the lines at this station ?

A. Yes.

Q. Where was the situation ?

A. I cannot explain it unless I see a plan.

Q. Is the situation recommended by you on any part of the plain where the lines now stand ?

A. Yes ; on the plain.

Q. How is it situated with respect to the present one ? is it on the front—or rear, or either flanks ?

A. I have answered that question already.

Q. Are the buildings occupied by you as private habitations or as public offices, done so by permission of the owners ?

A. Yes.

Lieut. Laughton withdraws, and Bux Ally Shaik Syed appears in Court.

Q. Where do you live ?

A. I live near the mineret, which is mine.

Q. Has your family lived there long ?

A. My ancestors have lived here more than two hundred years.

Q. Have you any complaints against the Troops for acts of violence since they have been here ?

A. I have been annoyed by people taking the stones from the mineret ; but since Mr. Carless went there to live, I have not

been annoyed. Mr. Carless, asked me for leave to live there which I granted. I have also been annoyed by my gardens, on the bank of the river near the Dengah, being destroyed, and the trees spoilt near where Mr. Bell is building a house. Mr. Laughton did promise me payment, but till now I have received nothing.

Q. Who destroyed and cut the trees down?

A. Mr. Bell has cut down forty bearing fruit, and fifty or sixty smaller ones. The sepoys would only eat the fruit; this Sahib has cut down the trees. I was taken yesterday before the Moonshee of Mr. Bell and Abbas Ally Shaik, who asked me if I had any complaints against the troops? I replied I had no complaints to make, except about my trees and gardens.

Q. Did you ever hear of a body being taken out of a grave and thrown into the river?

A. I heard a report of it; but know nothing of the business.

Q. Have you heard any complaints being made by any Syed on the subject?

A. No; I have not.

Q. Have the inhabitants of the village of Chupprey made any complaints, or have they been oppressed in any way?

A. The only complaint they have to make is, of the trees being cut down for the purpose of the construction of a Water-wheel.

The Evidence withdraws, and the court adjourns till Saturday, 3d August, 1839.

Saturday 3d August, 1839.

The Court re-assemble this-day pursuant to adjournment, and in the absence of any specific charge, have investigated, as far as lies in their power, the allegations of injury and insult to Sydes and other natives by the destruction of their Tombs, &c. by the troops at this station; and in the absence of further evidence on this point, close the proceedings.

(Signed) G. WILSON, Major.

President of Court of Enquiry.

True Copy.

Brigadier Commanding in Upper Scinde.

A.—(No. 167)

To Brigadier GORDON, Commanding in Upper Scinde.

SIR,—In continuation of my letter of yesterday, I have the honor to request your

most serious attention to the subject of my present address.

In consequence of the threat of Military violence conveyed in the 5th para. of your letter, dated the 18th instant, it was my wish to have avoided all further correspondence with you until I should receive a reply to a letter on the subject which I forwarded by express to the Right Hon'ble the Governor-General of India.

I cannot, however, expect to receive instructions from His Lordship before the 10th proximo, and in the mean time the past acts and present conduct of Military Officers under your command are leading rapidly to a crisis in the affairs of this Country, which it has all along been the policy of the British Government to avert, and which will entail deep disgrace and ruin on all who may be instrumental in bringing it about.

As the Representative of the Governor-General in this country, it becomes my duty to protest in the strongest terms against what is passing. I cannot, it is true, oppose a thing save remonstrances to the threat of Military coercion which you have held out; but these remonstrances may have the effect of inducing you to pause in the course which you are pursuing, and with that hope I shall continue to urge them on you.

The local officers, as well as the subjects of their Highnesses the Ameers of Khyapore, are both alarmed and exasperated at the injuries inflicted on them, and are vociferous in their appeals to me for justice. Yesterday some of the most respectable people at this place amongst other grievances, stated, that not only were the inhabitants insulted and injured in their own persons, but that the tombs of their ancestors had been desecrated by your orders; that the bones of the Syeds who were revered here as saints, had been torn from the grave and thrown into the river; and that in reply to their complaints and remonstrances, the soldiers jeered and insulted them by such remarks as—"the holy men have embarked for Mecca"—"your grandfathers have gone on a pilgrimage," &c.

The truth of this statement I have investigated, and it is with the deepest pain that I have ascertained it to be but too accurate. In any of our own provinces such proceedings would have occasioned an immediate and general rebellion amongst the Mussulman population—that it has not up to this date done so here, is to me matter of the utmost surprise

But the feeling of resentment towards us, which it has given birth to in the minds of the people, is deep and bitter, and a trifle may stir it into violent action. The disgraced and injured Syeds are the most influential men in this country; they are the descendants of Meer Mobsoon, who was at the same time ruler and patron Saint of Scinde, and at this day no affair of importance is engaged in either by the chiefs or lower orders without their previous advice; they form the only class from which we have derived assistance and information since our arrival in Scinde, and merited a very different treatment at the hands of every servant of the British Government, than that which they have met with. Instead of receiving protection and reward, they have been trampled on: their religion outraged, and the tombs of their dead violated by the servants of the very government to which they have rendered good and willing service. Should a popular tumult break out in consequence of these and similar acts, every life which may be lost will be a murder, and I should be wanting in my duty both to my own Government and to the people of this country, if I did not point out to you distinctly the perilous ground on which you are treading.

We are not in an enemy's country, as you, from having proclaimed Martial Law, appear to believe; but in that of a Friend and Ally, whom we are pledged to support, and whose subjects it is the most anxious wish of the British Government to conciliate: so far from being conciliated, the people are daily becoming more alarmed and exasperated, and I regret being compelled to record my opinion, that your acts, and those of the officers under your command, fully account for, and justify, the state of feeling which is spreading rapidly through this country. A copy of this letter, together with the deposition of the Syeds regarding the tombs which have been destroyed, shall be submitted for the consideration and orders of the Right Hon'ble the Governor-General of India.

I have the honor to be, sir,
your most obdt. servt,

(Signed) ROSS BELL, Pol. Agent
Upper Scinde.

Camp Sukkur, 27th July, 1839.

True Copy.

Brigadier Commanding in Upper Scinde.

B.

To ROSS BELL, Esq.,

Pol. Agent Upper Scinde.

SIR,—A Letter (No. 167) being dated July 27th, 1839, from your address to that of Brigadier Gordon, has been laid before a Court of Enquiry now sitting in the Mess Tent of the 23d Regiment Bombay Native Infantry, to enquire into certain accusations of a most serious nature, vaguely made by you against the Brigadier and the officers and men of the troops here stationed, in which letter acts of violence and insult are said to have been committed, and bodies torn from their graves and thrown into the river. I have, therefore, the honor to request that you will lay before the court some specific charge of violence and insult offered by any person belonging to the force; at the same time you will oblige the members of the court by sending such evidences as you may deem necessary to substantiate the charge.

It would be desirable that the deposition of the Syeds be laid before the court, and that the Syeds themselves who made them should be in attendance.

I have the honor to be,

Sir, your most obdt. servt.

(Signed) G. WILSON, Major and President.

of Court of Enquiry.

Camp Sukkur, 28th July, 1839.

True Copy.

Brigadier Commanding in Upper Scinde.

C.

To Lieut. Eastwick, Pol. Agent Shikarpore.

SIR,—A Court of Enquiry having been assembled by the Brigadier Commanding in Upper Scinde, to investigate charges against the officers and troops of this station, preferred to the Governor-General by the Political Agent, for outrages said to have been committed against the natives, involving the violation of their religious feelings; the members of the court will feel greatly obliged by your stating, if any complaints were made to you while acting as political agent, and if so

by naming the nature of the complaints and the evidences there may be to substantiate them, Hon'ble the Governor-General of India, by whom alone any orders regarding it can be issued.

I have the honor to be, Sir, your
most obdt. servt.

(Signed) G. WILSON, Major

and President of Court of Enquiry.

Camp Sukkur, 28th July, 1839.

True Copy.

Brigadier Commanding in Upper Scinde.

Shikarpore, 31st July, 1839

To Major Wilson, President of Court

of Enquiry.

SIR,—In reply to your letter of the 28th instant, received this-day, I have the honor to inform you that had any complaints of the nature alluded to been made to me during the period I had charge of the political duties of the province, I should have brought them officially to the notice of the Brigadier Commanding in Upper Scinde.

I have the honor to be, Sir, your
most obdt. servt.

(Signed) W. EASTWICK, Asst.

Restd. in Scinde.

True Copy.

Brigadier Commanding in Upper Scinde.

P.

(No. 109.)

To Major Wilson, 23d Regt. N. 1., Sukkur.

SIR,—I have the honor to acknowledge the receipt of your letter of this date. It is, I believe, unusual that junior officers should assemble in a court for the purpose of enquiring into charges laid against their commanding officers, and of investigating their own conduct—setting aside this object, however, although it appears entitled to some weight, I consider such a Court, assembled for such a purpose as you state, to be illegal. The question has already been laid before the Right

I have the honor to be, sir, your
most obdt. servant.

(Signed) ROSS BELL, Polt. Agent

Upper Scinde.

Camp Sukkur, 28th July 1839.

True Copy.

Brigadier Commanding in Upper Scinde.

E.

To the Brigadier Commanding Upper Scinde.

SIR,—I have the honor of forwarding a true copy of a letter from Mr. Ross Bell, in answer to one addressed to him by the Court, of which I also enclose a copy.

You will see the difficulty in which the Court is placed by Mr. Bell refusing to produce evidence in which a whole body of officers and men are judged and condemned by him unheard, and handed up to the highest authority as guilty of the gravest military offence.

Under these circumstances, the only means the Court have of obtaining evidence, is to request you will order Commanding officers and heads of Departments to attend before the Court, to give evidence as to their knowledge of the offences said to have been committed.

I have the honor to be, sir, your most
obedt. servant.

(Signed) G. WILSON.

Major and President Court of Enquiry,
Camp Sukkur, 28th July 1839.

True Copy.

Brigadier Commanding in Upper Scinde.

TRANSLATION.

To Mahomed Abram.

After compliments I write to tell you that Mr. Ross Bell, having called me before him to day, I stated what Faqueer Ali had seen and said about the people who carried away and buried the corpse (worthy of Paradise of Kajor Mahomed Aseef. Bring all the men before me, that I may ask them, and give you employment. Collect all the men that buried Mahomed Aseef, and bring them safely to me; bring them as quickly as possible.

ALI SHAIK.

Times, June 2.]

THE EDUCATIONISTS VERSUS DR. A. DFF.

To the Editor of the Bengal Hurkarn.

SIR,—The admirers of Dr. Alexander Duff, (and if we are rightly informed, the Reverend Gentleman can boast of not a few) may be expected to have perused, in the *Englishman* of the 13th instant, with peculiar delight and exultation, the concluding part and peroration of his, in their probable opinion, Demosthenic or Ciceronian Epistle to Lord Auckland, on the subject of Indian education. For our own parts (or I presume to address you in the collective name of a Society,) although we have ere now presumed to break a lance with the eloquent divine, we may not yet be fully prepared to impugn the motives of such unbounded admiration, and would fain offer some observations concerning those grounds on which it may be attempted to be excused or justified. We have already placed ourselves, we must own, in a rather fearful dilemma, for, we must either at once and unreservedly profess our thorough conviction of the doctor's oracular wisdom and infallibility, or consent to be included in the disingenuous class of critics to whom he has been pleased to allude in the following words: "If in my statements they can find no real faults or flaws, they are sure to make them, or to fancy them." But we shall, nevertheless, on the present occasion, pursue our career, undeterred by the anticipation of this perilous alternative, to which he pitilessly reduces his readers; and may perchance outskip the dangers of the Scylla and Clarybdis which seem to encircle the horns of his powerful argumentation. But we beg, at the outset, to assure the reverend doctor, apart from mere conventional courtesy, that we are none of those whom he characterizes as "beings of hostile mould," who peruse his oratorical effusions in an unkindly spirit, and with the predetermination of subjecting them to the ordeal of indiscriminate censure. To use, with due reservation, the doctor's emphatical expression, we also may presume to say: "We have no controversy with any one: we have only a controversy with some of the principles and conclusions" of the doctor's letter on the subject of Lord Auckland's educational minute. But, for the sake of consistency, we shall not conclude with him, in the same breath, "that it is not our purpose to step aside, and act the part of mere controversialists!" We think, on the contrary, that the distinction attempted to be drawn between a controversy levelled at a writer's

work, and against the moral being of the writer himself, is, and we speak it with due deference, absolutely futile and frivolous, and particularly uncalled for in the present, as in the majority of similar instances—an author's doctrine and his identical egotism, constituting, but one and the same idea in the critic's and the reader's mind, whenever, as in the case before us, he delivers his opinions as his own. Were it otherwise, the same line of distinction should be uniformly and invariably drawn between words uttered or written and the person of the utterer or writer thereof, and we should, thus, consistently with ourselves, be under the constant obligation of brooking, like Moliere's personage, the most abusive and irritating aspersions, with perfect stoical indifference.

Pour des injures,

Dis-m'en tant que tu voudras:

Ce sont legeres blessures,

Et je ne m'en fache pas

But no longer to dwell on this specific point, and least of all on the supremely ridiculous, nay, and coruscous supposition of the Revd. Doctor's laboring under the anxious load of a private and personal feud with our Governor-General! a surmise, which the Revd. Doctor himself would, we imagine, be the first to eschew and deprecate, we may venture to record our firm belief, that the thinking portion of this community have been equally surprised at the manner, and at the matter of the Doctor's fervid philippic, wherein such objectionable language as the following is allowed frequently to recur:—*the low, grovelling ends and the low grovelling motives of secular educationists*,—comprehending in this indiscriminate censure, the Governor-General, the Members of Council, those of the General committee of Public Instruction, and every professor and teacher attached to the Government colleges, schools, or seminaries, throughout India, without even a saving clause on behalf such of our contemporaries as may have shared in inexpiable error! But what must needs appear still more astonishing:—those amongst us who belong to the category of "doating Orientalists," are threatened with the prospect of being irretrievably overwhelmed with surprise and shame, as soon as the condemnatory proof and evidence of their guilt and ignorance, now kept in reserve by the lenient

Doctor shall have been laid in all its deformity before the indignant public! And when that hour of dreadful visitation shall arrive, the doctor, (incredible though it would appear, did we not quote this extraordinary declaration verbatim) will forthwith eschew all desire of peace, and set on of public discomfiture (!) and bring such condemnatory proofs and evidence under the full glare of publicity!! This certainly baffles all powers of comment. But it may be asked, is such a pugnacious disposition conformable to the spirit of meekness and charity which characterized every act and word of the Divine Founder of our holy religion? How much more consonant to the principles of rational criticism had been at least the attempt on the part of the Rev. doctor, so to combine and methodize his proofs and arguments as, by direct implication and inference, to have impressed on the readers' minds the truth of such injurious conclusions and aspersions as those which he has so openly and regardlessly flung into the face of a reluctant and wondering community! So much for the peculiarity of his manner, now for the matter of the themselves.

One of the doctor's main objections to the educational scheme sanctioned by Lord Auckland, rests on a superficial and almost evanescent distinction, (how very magnified by the Doctor's microscopic eye), between education of an exclusively moral and religious, and of a purely intellectual character, the latter being pronounced utterly barren and unprofitable, unless raised and cemented on the broader and more catholic basis of the former. But we are prepared to establish, by irrefragable proof, that such arbitrary distinctions are the imaginary offsprings of metaphysical subtlety, and of that very spirit of scholastic sophistry against which the Doctor himself has so vehemently inveighed, and that, if for the convenience of scientific classification the schoolmen, and, at a later period, the immortal Bacon and his successors,—the French Encyclopedists and the German psychologists and theosophists, have drawn a popular boundary line between the moral and intellectual faculties of man, it is nevertheless an easily ascertained fact, and we challenge the Reverend Doctor himself, or even the whole host of controversialists, to the proof of the contrary assertion,—that as far as education, in its most useful, that is, in its most practical form, is concerned, it were an experiment attended with as insuperable difficulties to separate our moral from our intellectual being, as mechanically to wrench asunder the indivisible

particles of an elementary substance. Further, it is a fact deducible from daily and hourly experience, that there is not a single action of man, from the period of his birth to that of his final dissolution, which does not simultaneously and instantaneously originate from an identically moral and intellectual cause. We are not unaware, that, among innumerable doctines and systems successively excoluded with the lapse of ages, modern physiologists, and foremost among them the celebrated Bichat, have fixed the seat of the nobler passions in the heart,—of mere physical desire in the ganglions,—and of lofty thoughts and sublime conceptions in the region of the brain. But let us consult the unerring test of inductive experience, which is ever found far more decisive and permanent in its results than their passing theories,

we shall require the conviction that so rapid and electrical are the mutual action and reaction of the sympathetic faculties of the heart and brain, that the most minute and attentive philosophical inquirer has never been able, no, not even the most practical and illiterate clown, so to mark the fugitive tracks of these instantaneous operations, as to classify the thoughts and deeds of a single day under the respective heads of moral and intellectual! If the Reverend Doctor, therefore, with the accumulated wisdom of past centuries, can, no more than any other inhabitant of this sublunary globe they analyze, distinguish and classify his duties, nor ever explain one of the most remote causes of this perpetually recurring phenomenon, it necessarily follows that his theory, though supported by books and authorities mountain high, must, with all its embellishments of brilliant metaphors and elaborate amplifications, fall harmless against the adamant rock of experience; and the farther obvious consequence is, that the putons, propounders and followers of a national, practical and temperate system of education throughout India, are fully justifiable in conducting its course, *pari passu*, on the principle of the simultaneous and equal improvement of the moral and intellectual being of the Hindoo people—on the improvement of their heads and of their hearts! Therein lies the huge and otherwise unaccountable fallacy which pervades the whole frame of the Reverend Doctor's epistolary oration but let the former be traced through its multitudinous and intricate ramifications, and this Babel of illogical discrepancies will bow its head to the dust!

It is now time that we should proceed to illustrate the deplorable shallowness of reasoning which characterizes, in its most

portant features, Dr. Duff's address to Lord Auckland, and place this capital deficiency in still stronger light than before, inasmuch as it is the doctor's expressed wish and recorded injunction, while he deliberately throws his gauntlet on the polemical arena, that we should "fairly grapple with his arguments and reasonings in order to expose their (not assumed but real) weakness. We

accordingly, bound to gratify his desire. If we succeed, as we earnestly hope, in satisfying the reader's mind on the merits of the following question, this long pending controversy will be finally and irrevocably settled. Let us premise, that it is a truly fortunate juncture for the public as well as ourselves, that the Reverend Doctor has, at length, probably out of sheer lassitude, in the third paragraph of his last letter, most distinctly and specifically laid down the principles of an educational scheme, which he, the Reverend Doctor himself, would fain substitute for that which had been developed in the Government's minute!—and it is a matter of equally sincere gratification, that from the same section of his epistle, which we here quote literally, the reader may be enabled to extract the whole pitfall, narrow, and subsistence of all that has hitherto fallen from its prolific and indefatigable pen.

"To you, the natives of India, we wish to impart for your enlightenment and civilization, the Literature and Science of Europe. Of that Literature and Science the 'root and mother' is the true and pure religion of Europe; we are ready, therefore, to teach you that too if you desire it. But in our English Colleges, we shall not make the learning of the latter an indispensable condition of your obtaining the former. No! we shall leave you at perfect liberty to do as you please. Should you, unhappily, wish only the European Literature and Science, such Literature and Science, will be taught without any direct or formal communication of the religion of Europe. But should you also happily desire instruction in the latter, here is an accredited agent, who, in addition to his other (ecclesiastical?) duties, is able and willing to instruct you. No compulsory attendance will be exacted or allowed. We exonerate our own consciences in this respect, by fairly opening up and presenting to you a favorable opportunity. But of that you are at liberty to avail yourselves or not according to your pleasure. You may learn or not learn precisely as your own tastes or inclinations may prompt you. This (adds the Doctor) would be real neutrality and non-interference."

Such is Dr. Duff's admirable plan for the moral and intellectual regeneration of the

people of India, and such the language which he recommends that the Government should adopt for the accomplishment of that highly beneficial end. But it would betray the most deplorable ignorance of the native mind to imagine, for a moment, that the Hindoo Community would interpret these expressions, however guarded, and softened down to the tone of a delusive neutrality—otherwise than as a positive, though indirect, injunction laid down on them by the ruling authority, to forsake the religion of their ancestors for the profession of a creed which they are accustomed to behold with almost intuitive distrust and abhorrence. "Should you *happily* desire instruction in the religion of Europe, here is an accredited Agent, (in other words some minister of the Gospel) who, in addition to his other duties, is able and willing to instruct you!" In order to maintain the *strict neutrality*, on which so much stress has been laid, the head of every educational establishment is, forthwith, expected, after giving utterance to this soothing and conciliatory declaration, to assume, by some magical influence, the passive state of a mere automaton, and neither by word, gesture nor sign to manifest, ever afterwards, the slightest interest in the result of these paternal suggestions, and to preserve the same immovable attitude should his advice meet with strenuous expostulation or be entirely disregarded! And, in such a contingency, he must be expected, rightly to adhere to the next rule, "no compulsory attendance will be exacted or allowed!" We deny such gratuitous assumptions in toto; for to admit their truth, would, to mistake and strike out of account the price of office, and the natural disposition of men, vested with power to resent indifference or disrespect as the worst humiliations of affronts. Who can ever bring himself to doubt that such admonitory words, when issuing from the lips of so potent, grave, and reverend an authority as a member of the Committee of Public Instruction (!) would fall on the ears of an obsequious native with incalculable weight? Nay, were they even to proceed from the meanest subordinate agent of the Honorable East India Company, they would still be felt with irresistible effect; and should a native parent or guardian, subjected to such interpellation, happen to depend for his subsistence, (an instance of no solitary occurrence,) on some Government office or employment, the only available alternative for the poor official would, in so grievous an emergency, obviously be, the immediate removal of his son or pupil from what would be deemed by the whole circle of his domestic

or religious friends, the polluted contact of the enemy of mankind. Cavil as we may, such would be the inevitable consequence of such jesuitical non-interference. What then becomes of the Reverend Doctor's boasted doctrine of neutrality? What clearer proof of the demerits and infeasibility of a plan of so untangible and visionary a nature? But this is not all. Its impracticability would further result from the wisdom and discretion of the local Indian Legislature, who, without incurring the heaviest responsibility before the Court of Directors, and the still higher tribunal of the British public, could never sanction and enforce a measure, the bare announcement of which would raise an astounding outcry from the Himalayas to Cape Comorin, and cause a flood of petitions, addresses, and expostulations to pour, like an inexhaustible cataclysm, from every corner of the land, and overwhelm the groaning tables of the Council Chamber, the India House, the Privy Council, and the Parliament. Let it be further remembered that the abolition of the Sutte rite, and other minor enactments, never extended their operation and influence over the sphere of domestic habits, associations and prejudices, amidst a countless population—that they left parental affection and filial reverence untouched and unimpaired—had no tendency to transform school boys into renegades and apostates, thus invading the sacred privacy, the security, and sanctity of home: but this ill-fated measure would, at one fell swoop, break asunder every link of the family compact, and ultimately lead to irretrievable confusion and social disorganization; for it would rouse the dormant jealousies of the native priestly hierarchy—and while the former acts of the legislature, merely lopped off some less sensitive limbs of the Brahmanical Hydra, this deadly attack would call into renovated existence and activity, the combined and counteracting energies of the myriad-headed monster. This rash, this preposterous coup d'état, so fearlessly advocated by the Reverend gentleman, would toll the knell of English education throughout India; and besides would, by retarding its now onward progress, for an unassignable period, close in a proportionate degree, every avenue to the safe and permanent introduction of Christianity into the still barbarous regions of India, while it would be infallibly interpreted, by an affrighted and priest-ridden population, amid the anxieties of a financial crisis and the eventuality of a foreign war, as the portentous forerunner of still more dangerous and radical innovations! This, then, *this* is the consummation so devoutly wished, and

so pompously extolled by the far-sighted wisdom of the Reverend Doctor Alexander Duff!! Such then are the ultimate results of his sapient plan and learned lucubrations! This the heaven-born foetus of his comprehensive mind—the scheme par excellence of our Indian Lysurgus! Why, it is but a distempered dream, or, at best, but the baseless fabric of a vision! *wegri sonni awani!*

Here we might rest our cause. For, if it be once clearly acknowledged and granted that the Doctors own scheme is fraught with positive evil and public calamity, it becomes of comparatively subordinate importance to overthrow, by further evidence, any other of those long laboured argumentative structures on which the Doctor may still flatter himself that he has raised his flag as firmly and immutably as on a rock of adamant. But let us here the Doctor once more, and then “leave him alone in his glory.”

The circumstance of all teachers without exception, entrusted with the duty of public tuition in any Government College, School, Seminary, or other educational establishment, being “particularly enjoined to abstain from any communications on the subject of religion with the boys,” is characterised by our reverend opponent as an active discouragement and a peremptory prohibition of the Christian faith!—And in order to convey an adequate idea of the magnitude of this enormity, the Doctor thinks it expedient to adduce what he triumphantly sets forth as a conclusive and parallel case, stating, that the crying injustice of this unchristian procedure would be practically exemplified, were the British Government at home to say, on the one hand, to the West India merchant, “you may freely import your sugar into Great Britain, and we are determined to grant you, out of the revenues of the state, a substantial encouragement in the shape of a handsome bounty,” (alluding to the educational grant sanctioned by Lord Auckland); and, on the other hand, to say to the East India merchants, “We have had you under a stern injunction not to import a single particle of East India sugar into the home market. He who disregards this prohibition shall be prosecuted with all the rigor of the law.” Upon this the Doctor vehemently exclaims; “And this is neutrality—this is non-interference towards the East India merchants? Suppositions wild, unnatural and incredible?” The better to appreciate the surpassing beauty and appositeness of this ingenious illustration, the reader is requested to bear in mind the thoroughly novel application introduced by the Doctor, of the correlative and convertible

words, sugar, by which he means religion; West India proprietors, which signifies the Members of Council, of the Committee of Public Instruction, and the *ὁ πᾶς* of including ourselves; East India Proprietors, intended to designate the Reverend Doctor himself (save the mark!) and his co-religionists, or, perhaps, though less obviously, the teachers employed in educational institutions! Now this peculiarly felicitous parallelism will be found, if examined with ordinary critical sagacity, to contain more than one egregious fallacy. In the first place—it is not true that the professors and propagators of Christianity, and the East India Merchants, are placed in an equally unfavorable predicament, inasmuch as the former have never been denied free and uncontrolled indulgence in their ministerial avocations throughout India,—while, for the truth and accuracy of the opposition, the complete and unlimited prohibition of such clerical avocations, or of religious proselytism, should have been as rigidly enforced as it has ever been on the shores of China or of Japan—which it precisely at variance with the existing practice. And it is not true, that as all West India Merchants, are indiscriminately and universally assumed to receive a handsome bounty from the public exchequer, so all teachers and propagators of Hindoo Pantheism, or the more refined doctrines of the Shasters, are now rewarded by Government by particular bounties, privileges, or emoluments, or are by any possibility, the objects of state-liberality; but it is, on the contrary, indisputably true, that the funds set apart for the maintenance and support of Sanscrit and other Oriental teachers and Professors are, if compared with the mass of learned Pundits, scattered within the limits of Bengal alone, as imperceptible and insignificant as a drop of rain on the boundless surface of the ocean. The bounty is thus conclusively shewn to be in the one instance, collective and universal, while, in the other, it is confined to a favored few, and, on the whole, is less than nothing. It is, therefore, as clear as the sun at noon day, that in this important part of his argument, as, indeed, through the whole chain of his reasonings, the Reverend Doctor has proceeded from erroneous premises to still more erroneous conclusions. Hence we might, with much stronger reason, emphatically repeat his own, agonized exclamation.—**SUPPOSITIONS WILD, UNNATURAL AND INCREDIBLE!**

Our task is done. We lay aside our pen with the consciousness of having exposed the Doctor's fallacies, without, for a moment,

impugning the sincerity and immaculacy of his motives, however dangerous and impracticable in their application. It must be remembered that, on this memorable occasion he has stood single against the torrent of a corrupt age;—and that, however intemperate or over authoritative in some passages of his elaborate production, he has fought, through the struggle, like a valiant champion, *pro aris et focis*;—and, to crown the lustre of his career, that he has merited, like the pilgrims of old, who raised the standard of the cross, and dyed the battle-axe in the blood of the Saracenic infidels by the holy shrine of Jerusalem, the unfading plam and undying renown of polemical martyrdom!

I remain, yours truly,

July 29, 1841.

H. G.

Hurk. July 22.]

To the Editor of the Bengal Hurkaru.

MR. EDITOR,—I am thankful to find from this morning's *Hurkaru*, that the Public Instructionists (a) have at length broken silence. It would, however, one would suppose, have been controversially more fair and argumentatively more equitable, had their great champion made his debut in the same field in which his antagonist was allowed to appear and speak out fully for himself. So far as I know, not a single paragraph of my letters to Lord Auckland has heretofore been published in the *Hurkaru*; whereas, through the spontaneous liberality of the Editor of the *Englishman*, the whole of them were reprinted in his popular and widely circulated journal (b). Why, then, did not H. G. send his lofty "Demosthenic or Ciceronian Epistle" to the columns of the *Englishman*? His doing so would have been at least manly, open, and chivalrous. In that case, too, he would have wholly saved me the trouble of a reply; as I assure him that I would then have left it wholly to the candour and good sense of the readers of the *Englishman* to say, whether he had or had not successfully assailed any one of my main or leading positions?—positions, which I still hold to be utterly impregnable. But as, for reasons best known to himself, he has declined coming into my field; you must allow me, Mr. Editor, for a few moments, to pass over into his.

Leaving his long preamble, consisting, I presume, of a selection of choice specimens of what in high places is accounted polite and complimentary phraseology, I pass on at once to the body of his criticisms. The

first topic on which he seizes is the distinction, to which I referred in my third letter between the purely intellectual states of the mind on the one hand, and its moral and religious susceptibilities on the other. The whole of what has been written on this subject he chooses to characterize by sundry hard epithets, which it is unnecessary to repeat, as they prove nothing. Instead, therefore, of furnishing any new rejoinder, I shall simply content myself with here inserting, verbatim, the original remarks on which, with such vague and indefinite generality of denunciation, your correspondent has been pleased to comment. They are as follow:—

“In obedience to the divine command, and from a comprehensive view of the wants and necessities of man, we insist upon it that children—all children, to whom God in His Providence has given us unconstrained access—should be trained up in the knowledge of God and of Salvation. Here it is that those, who, in opposition to the divine command, and from a narrow view of the wants, and necessities of man, would exclude such instruction from the education of youth loudly denounce. Because we so resolutely insist on the propriety and necessity of the moral and religious part of the Educational course, they heap upon us sundry epithets from the polite pages of their complimentary vocabulary. They brand us as short-sighted; narrow-minded, bigotted, and, above all, illiberal—while to themselves they appropriate the exclusive appellations of far-seeing, large-minded, catholic and liberal men. Now it requires but a grain of common sense, well exercised, to perceive the fallacy of all this. Represented in its proper light, it must at once be seen that the charge ought to be reciprocated, the statement reversed. Instead of being sectarian or illiberal, we must maintain that in its highest and best sense, the advocates of moral and religious instruction, and these alone, are truly catholic—truly liberal. We must, conversely, maintain that, in its bitterest and severest sense, these oppositionists, and these alone, are truly sectarian—truly illiberal. Now for the proof:—The subject before us is the education of the young. Without dwelling on a name, the very sound of which has magic charms for some, and the very echo of whose sound is like the hoarse murmur of some gaunt spectre in the ears of others, we may simply ask. What is the true and proper import of the term education? What is it, except, what its very etymology fully implies, a name for the act of edging, bringing out, or drawing forth into visible manifestation any powers or principles whatsoever, that

may be dormant and concealed—and the bestowing upon these, when so manifested, that direction which is suited to their nature, and to the design of their being. Applied to the mind of man, what does it, rather what ought it ever to denote? What, but an edging, a drawing out, or simultaneous development of all those varied powers, capacities, or susceptibilities, which characterize the soul as a spiritual being, contradistinguished from sensible or material existences; and a guiding and directing of these, when so developed, to the fulfilment of the great ends of their being.

The question then is, what are the powers, capacities, or susceptibilities of the human soul? To render the charge of partiality impossible, we ask the reader to look—not to any of those works which, by some, might be repudiated as savouring of methodism—but simply to look at the standard writing of the most approved authors on this subject, for a reply:—the writings of our greatest masters in the Baconian school of mental science—the writings of our Lockes, and Reids, and Stewarts, and Browns. How do they, *as a whole*, of a rigid inductive philosophy, spread out before us, the map—the geographical chart—if we may use the expression—of the human mind? Under different denominations, such as the understanding and the will, the intellectual and the active powers, the mental status and the emotions, do they not emphatically assure us, that the powers and faculties of the mind must be divided into two great classes, and that they are not only specifically but geometrically distinct? For the sake of convenience these two distinct classes may be briefly termed—the intellectual and the moral. To the former belong memory, imagination, reason, and all other mental powers. To the latter, belong love, joy, hope, veneration, and all other emotions, desires, and longings, —the aggregate of which constitute the moral and religious nature of man. What, then, in reference to the human mind, can be meant by a full, complete and liberal education? What can—what ought—to be meant except an education, which aims at bringing out, or developing, and regulating all its powers, by the systematic direction of all of those to their proper objects! Is this, then, the aim of those who are so vauntful in their exclusive professions of liberality? No; no; quite the reverse. By confining themselves wholly to secular instruction, they address chiefly, and for the most part, only the intellectual portion of man's being. In other words, they fixedly resolve to bring out or develop only a half, or rather a fraction,

—and that the least important half or fraction,—of the powers and faculties of the human soul? Call ye this liberality, in its true sense of bountiful and generous fulness? Nay; it is the grossest and most ruinous illiberality. We, on the other hand, would come forward and resolve to address, not a half, not a fragmentary portion, but the whole of man's spiritual being? The intellectual powers and faculties we would resolve to develop, direct, and cultivate as thoroughly as the merely secular educationists ever can. We would, at the same time, resolve simultaneously to address the other and more important portion of man's spiritual being. We would resolve in humble dependence on the divine blessing, to develop, cultivate, and regulate all the moral and religious powers and susceptibilities of man. Call ye this, illiberality? Nay; it is liberality in its largest, most godlike sense. The purely secular educationists, in this only just view of the subject, are demonstrably the narrow-minded, the parsimonious, the sectarian, the illiberal, because their system of education is at best but a half or a fractional system—which, under the false pretence of liberality, would rob a man of the due development and right use of the best half of his soul's capabilities. Those, on the other hand, who insist on blending secular with moral and religious instruction, are as demonstrably the large-minded, the bountiful, the catholic, the truly liberal, because their system of education is a whole, or integral system—embracing, as it does, and endeavouring to develop, and direct *all* the powers and susceptibilities of the human soul. The *former*, to whatever extent followed out, never can, in the nature of things, go beyond a species of *meagre demi education*. The *latter*, followed out to its legitimate extent, and that alone, can ever constitute a *really comprehensive and complete education*—leading out all the powers of the soul so as to include, without being unduly absorbed by the interests of time—bracing them to resist the pelting of the storms of life—and causing them to send up lively shoots towards the heaven of heavens.

2d: Not only is the exclusively secular scheme, now impugned, partial and illiberal; but even in *perfectly* attaining its own professed objects, it must prove *utterly inefficient*.

Let us illustrate this by a parallel representation. Suppose a large district of country, still in a wilderness state, is to be brought under cultivation. Below, are extended

plains, be-strown with marshy swamps above; are towering eminences mantled with waving forests. The colonists, instead of simultaneously draining the marshes that stagnate beneath and clearing the forests that wave on high, direct *all* their efforts exclusively to the latter. What is the natural—the necessary result? No sooner have the sloping declivities and the elevated table lands begun to exhibit symptoms of fruitfulness calculated to inspire the most animating hopes, than the noxious exhalations, born from beneath on the wings of the wind, smite the husbandmen with pestilential fevers, and their crops with blighting mildew. Human life is thus deprived of more than half its enjoyment, and the soil denuded of more than half its fruitfulness. Whence the cause of so disastrous an issue? It is wholly attributable to the system of *half cultivation*. If the colonists, instead of exclusively confining their labours to the upper regions, had *co temporarily* applied their resources to the draining of the fens, bogs and marshes, in the valleys below,—they would have desiccated the reservoirs of noxious exhalation—they would have preserved the health of the labourers, and been enriched with the full,—the unblighted—produce of the upper fields. Yea, more, they would have more than doubled that produce by the rich accession of the luxuriant returns of the plains below.

Precisely parallel is the case with the husbandry, or what the great father of modern philosophy, has significantly termed 'the Georgics of the mind'—the immortal soul being the soil, the skilful teacher the instrument of culture, the Father of spirits the Husbandman. Here we have to deal practically with two great divisions—the intellectual and the moral—bearing a striking analogy to the two great divisions of an unreclaimed territory. Sin hath entered into both. Sin has blinded the understanding and vitiated the judgment, and all kindred powers. But it is in the moral department that sin has committed the most frightful ravages—converting that once most fertile region into an unsightly morass of evil passions, appetites, and desires—the most loathsome and abominable. Now, how do the secular educationists set about the process of cultivation? They propose to cultivate, what they reckon the upper, the superior, or intellectual department; and that alone. Can they fully succeed in the exclusive attempt? Impossible. By neglecting altogether the moral, which they reckon the inferior, but which in reality is the richer and more fertile department, of the two—there will in most cases, speedily ascend such noxious

fumes from indulged passions, unbridled appetites, and uncurbed desires, as must becloud, darken and paralyse all the intellectual powers—thus rendering the cultivation of them, in a great measure abortive; and the legitimate products of them, nought but a blighted harvest. Or if—in cases where the equilibrium of the mental faculties is disturbed, by the presence of some one of preponderant force,—full scope be given to the predominant power, at the expense of all the rest, they may succeed in making one all memory; and another, all imagination—one, a great metaphysician; and another, a great astronomer;—but assuredly they never will—they never can—by such unequal and disproportionate development, succeed in making a great man. Failure, failure must thus be emblazoned on the standard of every enterprise in mere intellectual husbandry. How different our proposed method of procedure. Availing ourselves of all the instrumentalities put within our reach, whether connected with Jehovah's works or Jehovah's word, we would resolve at once, in humble reliance on His omnipotent grace, to carry on simultaneously a double process of cultivation, in the two great departments of our intellectual and moral nature. And when, through the divine blessing on the means employed, the fruits of righteousness have been made to spring forth from the reclaimed heart and purified affections, then will the intellect, no longer tainted by the foul breath of appetite and passion, expand itself, with unchecked freedom, and in the fairest and stateliest proportions—exhibiting to all around the bloom and the fruit of sanctified intelligence. This, this, is the natural, the noble result of the scheme of double culture, which, in obedience to the divine command, we would propose to pursue—a scheme, which promises to realize, in a far higher degree, the intellectual expansion exclusively aimed at by the secular educationists; while, it equally promises to realize, by God's blessing, all the grandeur and dignity of that moral and religious culture which is aside from their aim, and utterly beyond the reach of their attainments."

(a) If Dr. Duff means to imply, that the writer of the letter signed H. G. is a member of the General Committee of Public Instruction; or that he is in their employ, we may venture to say, that he is mistaken.—E.B.

(b) We hope this compliment to our contemporary will have its due effect. Dr. Duff speaks in his preface of the "dignified neutrality of the *Hurkaru*, from which there is reason ultimately to expect much." We are afraid that he will alter his opinion after reading this morning's paper.—Ed.

Having thus recorded my own sentiments on the subject in debate—sentiments in the unascrivable rightness of which I am more than ever confirmed by the utter lameness, the utter inadequacy and even irrelevancy of your correspondent's attempted exposure—I leave it entirely to the good sense of your readers to judge between us. I must for ever insist upon it that either theoretically and practically there is a broad and passable distinction between a specifically intellectual and a specifically moral and religious education. The latter cannot be carried on without cultivating and developing the intellect, to a certain extent and manifest direction; as the objects which specially address the moral and religious powers as faculties must, in the first instance, be digressed through the medium of the apprehending intellect. But the former may be carried on to a great extent, subject, however, to all manner of disproportionate shootings and other irregularities, without any right cultivation or any properly regulated development of the moral and religious susceptibilities at all. We know at least of one being in the universe, who, to the intellect and knowledge of an archangel unites the heart and dispositions of a fiend! And between him and the lowest type of depraved humanity, there is an almost endless variety of gradations. To say a merely intellectual education either involves or supersedes the specific moral and religious education for which I contend, because moral and immoral feelings and desires are mingled with all the acts of our intellectual and social being, is precisely the same thing as to say that a merely intellectual education either involves or supersedes a specific course of instruction in the science of harmonies or sound, because sounds of concord or discord do mingle up with almost all the acts of our intellectual and social being! What I still contend for is, an intellectual, moral, and religious education combined; as that alone which is honouring to God and commensurate with the necessities of man. "No society" said Napoleon, "can exist without morals; and there can be no sound morals without religion; so say I, with the addition, that that religion must be religion. That true morality, that is, morality in its high, noble good-like, Bible sense, cannot exist without true religion, is a thesis which I am prepared to maintain in the face of all India and the world,—even though Secretaries and Councillors and Governor-General to boot, were all against me.

2. Another topic of which your correspondent complains is, that which relates to "the low, grovelling ends and the low, grovelling

motives of the secular educationists." Now, the ends contemplated I spoke of as grovelling, not absolutely, but comparatively. And as to motives, what I said referred not to the motives of the educationists themselves so much as to the motives to which they appeal in the breasts of their pupils. However, to set the matter in its proper light, allow me again to quote the *ipsissima verba* already employed by me : —

" Suppose the great end of the secular educationists could be attained—as fully attained it never can be if exclusively pursued—it were comparatively but a poor and a drivelling end. To aim at the exclusive cultivation of man's intellectual powers, by the presentation of objects unconnected with morals or religion—objects, that are temporal, sensible, visible, perishable, is to treat him purely as a creature of time and sense. It is to deal with him on the same physical utilitarian principle that we would with some tractable animal, or some beast of burden, which we wished to rear for some humble, but necessary drudgery. It is to attempt to fit him to play his part profitably on the stage of time, and then leave him to expire miserably like the brutes that perish. It is practically to shape, fashion and handle him like any other temporary machine, as if his soul's immortality were a lie, and heaven and hell no thing better than the mildest inventions of heathenism or the idlest fictions of the poetic muse." On the subject of " motives " my statement has been as follows : —

" If any one has a doubt as to the low, grovelling ends contemplated by the secular educationists, and the consequently low, grovelling motives by which their exhortations are enforced, he has only carefully to pursue Lord Auckland's Minute. Throughout, it is as clear, but certainly as cold, cheerless, and barren as the nocturnal sky of an Arctic winter. Throughout, it contains not a single hearty appeal to any one noble or generous motive or principle by which the breast of man can be actuated. Throughout, it contains not a single hearty aspiration, calculated to excite one noble or generous sentiment in the human heart. The very highest end which it holds out to the educated youth of India is, the prospect of Employment mostly in subordinate branches of the government service. The very highest motive to which it appeals is the ambition or desire to be qualified for such money-producing appointments. It converts the Government Institutions, in their highest estate, into so many educational foundries for casting and fabricating so many human machines to weave out the

dull monotonous web of Government business. It makes worldly interests, and these too of a kind not very exalted, not only the chief, but the sole end of action. It begins with earth and ends with earth—generating for a few years vanity and secularity, the pride of learning tends to the pride of place—and then drops its victims into the cold arms of death without a hope, without a comfort, and without any provision for an hereafter. As men sow, so shall they reap. " He that soweth to the flesh, shall of the flesh reap corruption." He that strives to sow or implant only low, earthly, sordid motives in the youthful mind, shall assuredly reap a harvest of what is low, earthly, and sordid in the fruits or actions of after life. From the Government scheme of education, I venture to predict that a race of noble, generous high-souled, disinterested, government officers will never spring. We might as well expect to gather the most beautiful flowers from inferior seed profusely scattered in the stagnant marshes of Bengal, or on the icy summits of Himalaya. On the other hand, it must be remembered, that a comprehensive education,—or that whose first object is, " to inculcate and cherish, independence on the divine blessing, true religion, both in the soul, and in the daily and hourly habits of life ; and whose second object is to convey general knowledge to form the mind and manners"—that even such an education will not necessarily, and may not generally, produce the high and noble results aimed at. In a country like India, and in the present transition state of its society, a general and religious education can have no fair play. The lessons and training of the school are ever apt to be counteracted by the contrary lessons and training of home. The admonitions of the enlightened teacher are ever apt to be neutralized by the maxims and the practices of a corrupt idolatrous society. And the most irrefragable demonstrations of the Theologian are ever apt to be cavalierly tossed aside by the proud, shallow-minded pedants that are reared in irreligious institutions. Beside, the best conducted religious education, under the most favourable circumstances, will not, cannot, of itself, make men religious, i. e. saturated with the love of God and the love of man. Neither as has been well said, " will the preaching, of the gospel make men pious. The Bible itself will not make men pious." Unless the Holy Spirit accompanies the preaching of the gospel, it will be utterly ineffectual ; and unless God bless the means employed to train up children in the way they should go, these means will not produce piety. But God

does cause the faithful preaching of the gospel to be effectual to the salvation of souls. And is not the promise equally explicit that, if children are trained in the way they should go, they will not depart from it?" By humbly and prayerfully employing the means of God's own appointment, we have ample reason to expect that a fair proportion of itself, of the young may ultimately realize the glorious results contemplated. By systematically despising or neglecting the use of these means, we have no reason whatever to expect that any of these highest results will ever be realized at all."

3. The third topic with which your correspondent has with peculiar elaboration dealt, is what he designates my "admirable plan for the moral and intellectual regeneration of the people of India." Now, this plan is neither very "admirable" in itself, nor is it by any means the best for securing the great object described. I only proposed it, as exhibiting "the lowest attitude of a fair and reasonable neutrality, (which the British Government could assume,) as regards the true and ennobling religion of Christendom." That it is so, I still maintain; and must be pardoned for continuing to do so, till something more convincing to enlightened reason—something better based on the ground-work of past experience—something more accordant with the entire spirit and design of God's holy oracles, be appealed to, than the "in terrorem" declamations, which your worthy correspondent has figuratively piled up to the hoary summits of Himalaya! Some, totally ignorant of what had transpired in by gone days—days of whose doings the Hon'ble H. T. Prinsep, Member of the supreme Council, will doubtless be able to testify to all whom it may concern—surmised, that, however substantially true, I surely must have drawn an exaggerated picture of the opinions, forebodings, and prospective fears of the Oriental—as that picture is found, in the 23d, 24th and other pages of my published letters. Every felling of suspicion on the subject, must henceforth vanish. H. G. has presented your readers with a full-length picture of the alarmist opinions and "in terrorem" prospects and appeals of himself and party, which, in faithfulness and magnitude, far surpasses ought that my pen or pencil could delineate. For this fresh and inimitable exemplification of the tendency of the Orientalists to appeal from the argument of principles to the argument of imaginary terrors, I tender to your correspondent my warmest and

most unfeigned thanks. It proves, beyond all debate, what I have often asserted, but what most sober and reflecting people had ceased, in their ignorance, to believe. It proves that there are still amongst us those who inherit the spirit of the fraternity that made India and Britain ring nearly half a century ago, with the noise of the mutiny of Vellore. It proves that, as often as their own notions of a worldly, temporizing expediency are impugned, the ghost of that spirit, which spoke so ravingly about that tragic event, is sure to be evoked from its slumbers, to scare us with the dread of a repetition of similar dangers. In 1806, the Madras Government passed a resolution to "change the form of the turban, to take off the red mark from the forehead, the earrings from the ears, and to prescribe a pattern for the cut of the beard," of its native troops. And this interference with immemorial usage, led to the fatal mutiny of Vellore. Immediately the cry was raised from the Ganges to the Thames, shouted by the press, and re-echoed from St. Stephen's, that all confidence in the British Government in India had expired; that the spirit of dissatisfaction was universal; that our Eastern Empire was on the eve of perishing in the eruption of popular fury! and all this, too, though there is every reason to believe that probably not one in a hundred of the people of India ever heard of the mutiny or its originating cause! But be this as it may, the same cry has ever since been renewed again and again, as often as any material change has been proposed in the general system hitherto pursued by Government. On the present occasion it is, if possible, more than ever unfounded. Even were we to grant, for argument's sake that the Madras Costume Act justified, in some measure,—the outcry at home and abroad, what possible analogy exists between it, and "the proposal" which has elicited the same outcry now? In the former case, it cannot be denied that, from the close connection between the customs and the religions of the East, ignorant natives might infer that an Act, enforcing an important change in their dress, bore the semblance of a disposition on the part of the British Government, authoritatively to interfere with their religion too. But, in the present case, there is no ground for even the remotest semblance of a disposition authoritatively to interfere with any of the customs, far less the religion of the natives. It is merely a proposal to teach any of them our religion, who may freely, spontaneously and uncoercedly desire to obtain such instruction. In such a proposal there is not the remotest approach to a breach or violation of the

most enlightened principle of toleration. And my full persuasion is that, left to themselves, there is not one in ten among our native fellow subjects, who would either seriously think so, or say so.

4. The fourth point on which your correspondent, after descending from amid the whirlwind and the storm of wars, rebellions and anarchy, is disposed to be facetious, is, the illustration which I ventured to adduce of the Government mode of manifesting its neutrality and non-interference on the subject of the false religions of the East and true religion of the West. Giving him all the benefit of the ingenious twistings and contortions to which he has subjected my remarks, the plain, palpable, and notorious matter of fact, after all, is this:—In its Oriental Colleges, Government gives out money from the public Treasury for hiring Professors to teach, and by means of scholarships, encouraging students to learn the religions of Orientalism, as essential and integral parts of the Oriental system. And this direct endowment and active pecuniary support, accompanied by the influence and éclat of Government patronage, must still be termed, on the principle of contraries, rigid neutrality and strict non-interference, as regards the false religions of the East! Again, in the rules and regulations of the Public Instruction Committee respecting its English Colleges, all teachers are “particularly enjoined to abstain from any communications on the subject of religion with the boys.” Here, then, is a peremptory injunction, of a prohibitory character, laid on teachers. So that, however willing or anxious boys might be to learn something of the true and pure religion of Christendom, while acquiring the literature and science of Christendom; and, however willing or anxious a qualified teacher might be, to comply with their request, both parties are strictly forbidden to hold any communications on the subject! The boys are rather allowed to learn not the teachers to teach that which the God of heaven hath commanded, and which alone can truly enlighten and civilize, by truly regenerating the intellect and the heart of man! And this active discouragement—this peremptory prohibition of the Christian faith within the walls of the Government English Colleges, must again, by the rule of contraries, be facetiously designated rigid neutrality and strict non-interference! This, Mr. Editor, is what I asserted before; and this is, what I re-assert now; adding, as I did then, that others may demonstrate all this “egregious revolting inconsistency” by what names they

please; but that, as they will, by the rule of contraries, insist on calling all this by the misapplied names of “neutrality” and “non-interference,” I must be excused for still maintaining, as I have already done, that it is, “like the neutrality of the fountain which feeds one river—that it is like the non-interference of the heat which dries up another!”

Yours very truly,

ALEXANDER DUFF.

Cornwallis Square, 22d June, 1841.

P. S.—I have strictly and purposely confined myself to the points commented on by your correspondent but, none of your readers must, on that account, suppose that these constituted any more than a small fraction of the varied topics expatiated upon in my letters to Lord Auckland.—*Hurkaru*, July 20; A. D.

The reverend Dr. Duff, in the exultation of a supposed victory, and determined to push his advantage to the utmost, has reprinted his Letters to Lord Auckland on the subject of Native Education, in a more durable and convenient form. Milbourne, says Dr. Johnson, was styled by Pope, “the fairest of critics”, because he exhibited his own version of Virgil in juxtaposition with that of Dryden, which he violently condemned, and, perhaps, Dr. Duff anticipates a similar commendation for having bound up Lord Auckland’s Minute with the epistles which oppose it. That he is the fairest of controversialists, however, we hesitate to admit, though he is assuredly entitled to some degree of applause for one act of fearless candour which, we regret to say, is unusual amongst public disputants. Had he displayed an equal degree of candour throughout the course of the discussion, we should have eagerly testified our unqualified approbation. But, unhappily, zealous controversialists are too apt to lose sight of truth and fairness in the heat of the battle, and to become a great deal more anxious to gain the victory by the readiest means, however disingenuous, than to prove by sound and honest reasoning the justice of their cause.

It is painful to observe that we too frequently find the Ministers of Peace peculiarly virulent in their hostility and arrogant and contumelious in their manner upon entering the controversial lists; and we are sorry to say, that the Reverend Dr. Duff presents no

exception to the proverbial arrogance and bitterness of priestly disputants. He exhibits the pride that apes humility,—the charity which carried to an extreme, leads the holy inquisitor to save souls by burning bodies—and that modest sense of his own infallibility, which makes him account it an imperative duty to rebuke, with unqualified severity, all who differ from him in opinion. The Reverend gentleman complains in his preface, of the silence of his brother priests on the subject of Lord Auckland's Minute, and inquires, with amusing simplicity—"In cases like the present what has become of that race of Christian Ministers that are specially appointed as guardians to watch over the interests of Christianity among the Europeans—the ruling class of this vast realm? Why do they seem to remain as silent as if they were fast aslumber in the caves and dens of the earth?" Has it never struck the ambassador of Jesus that the silence of the rest of the clergy may be occasioned, not by any deficiency of that piety so conspicuous in himself, but by an honest doubt as to the prudence and propriety of his own proceedings? Dr. Duff may think that he has the warranty of Scripture for all that he says and does; yet other Christian ministers, equally wise and equally pious, may think that they have the scripture on their sides, and yet both think and act very different from Dr. Duff.

Putting his divine authority aside, what earthly right has Dr. Duff to style this Government anti-Christian and atheistical, merely because it adopts different means from those which he in his supreme wisdom proposes for the encompassment of the same end? It is the opinion of the majority of the most able and experienced of his countrymen in India, that by an open and direct attempt to convert the Hindoos to the Christian creed, we should defeat our object. Dr. Duff thinks the reverse; but is that any reason why he should pronounce his opponents atheists and deists? Is nobody to entertain an opinion but himself, unless it be at the peril of being styled an adversary of God? He attributes, to Lord Auckland and the Education Committee, not only a hatred of Christianity, but "low, grovelling ends and low grovelling motives," and "a hollow, carnalizing expediency," &c., &c., and yet has the cool impudence (for really we can characterize it by no other term) to talk of his own Christian courtesy and meekness. He invites his brother priests to address "poor, sinful, degraded humanity" on the subject of "the schemes and projects which only tend to their eternal undoing," and to say, "even if ye will violently resist and

oppose and calumniate, we" (meek Christians as we are!) "shall not be tempted, with similar weapons, to retaliate. Oh no; not having so learned Christ, we shall only be filled with pity and compassion on account of their ignorance and blindness." Indeed! and yet he talks of atheism—grovelling motives—a selfish, carnal expediency—a poor, drivelling end;—and in another part of his pamphlet he says of the "secular educationists" "that they brand us" (meaning the only wise and pious people—the salt of the earth) "as short sighted, narrow-minded, bigotted and above all illiberal—while to themselves they appropriate the exclusive appellations of far-seeing, large minded, Catholic, and liberal men." "Now it requires" (he continues,) "but a grain of common sense, well exercised, to perceive the fallacy of all this. Represented in its proper light, it must at once be seen that the charge ought to be reciprocated, the statement reversed. We must conversely maintain, that in its bitterest and severest sense, these oppositionists, and these alone, are truly sectarian, truly illiberal." This is excellent and really very edifying. Why the reverend preacher of peace and good will and Christian humility does not only 'retaliate with similar weapons' upon the Poor, BLIND, SINFUL, DEGRADED, CARNAL, SELFISH, HOLLOW, GROVELLING-MOTIVED, SECULAR, Educationists (the Governor-General, the supreme Council, and the Education Committee) but he plucks the feathers from their caps and places them on his own. The tables are turned upon the wicked. They are proved to be all that is bad and Dr. Duff and his disciples to be all that is good.

Dr. Duff speaks of Lord Auckland and this community, in the following style.

Here your Lordship is every thing. Here politically and civilly-speaking, your voice is all but omnipotent. Speak but the word, and thousands are ready to shout, it is the voice of a god! Speak but the word and thousands more are ready to fall down and worship whatever idol or image you may please to set up." What nonsense, and gross untruth is this! and Dr. Duff knows it to be so. He cannot be ignorant that this Society is not composed of such pitiful slaves.

Does he not himself show that Lord Auckland, so far from being all-powerful, has been obliged to temporize on the very subject under discussion? Has not his Lordship, according to Dr. Duff, timidly given way to the Orientalists against his own better judgment? And are there not records in the very Minute which he has so closely studied of the

most decided collisions of opinion between his Lordship and the servants of the Government? Have the Orientalists and others ever hesitated to express their sentiments, however much opposed to the Governor-General's? Certainly not. When will such controversialists as Dr. Duff argue with courtesy and common fairness, and pay their cause, the compliment of implying that it can be supported without disingenuousness, misrepresentation and abuse?

Dr. Duff seems to think that because Lord Auckland has got power and is a statesman, that he can understand nothing of any question connected with public education. This is a strange non sequitur. It is the part of a statesman to make himself especially acquainted with such a subject. He need not be a pedagogue. A man may form very accurate general views of the respective merits and probable results of particular systems of education, though he has never handled a birch or forced into the brains of children a knowledge of their A. B. C.

With respect to Lord Auckland's Minute it could not have a better foil than the illogical and angry effusions of his Reverend antagonist. It is temperate and conciliatory in tone, chaste, manly, and unaffected in diction, and benevolent, sensible, argumentative, and, upon the whole, statesmanlike in the matter. We say this readily and with perfect honesty, though we greatly lament that he should have revived and encouraged the hopes of the terrors of educationists whom Mr. Duff more than once very politely styles the "floating Orientalists." We blame his Lordship in this instance for an amiable weakness, and a want of decision which he does not often exhibit. We shall not at present re-enter upon the question of the relative advantages and disadvantages of Oriental and English Literature, though we have a good deal to say on this point, should it again fairly come before us. It is but justice, however, to Dr. Duff to observe, that he has argued very vigorously against Orientalism, and we are glad to have him on our side on this question, though we regret that his manner in this part of the discussion, as in every other, is very far from being unobjectionable. Even on this point he is sometimes very disingenuous. Mr. Prinsep had stated to Lord Auckland that the insufficiency of the funds assigned by the state for the purpose of public instruction had been amongst the main causes of the violent disputes. Oh, says Dr. Duff, this is "to toss the question of principle overboard altogether; and resolve the whole affair into a

scramble for money." Dr. Duff knows, quite as well as we do, that this is a gross misrepresentation. It is not a scramble for money for money's sake (for to whom is the money to go—not the scramblers), but a scramble for means to carry certain principles into effect. Will Dr. Duff pretend to deny that he is here guilty of a wilful misrepresentation? If he asserts that it is a genuine misconception he must clear his honor at the expense of his understanding.

Having, perhaps, at too much length, exposed the improper tone assumed by Dr. Duff towards his opponents, we shall now offer a few words on the subject of introducing the Christian religion into our Hindoo schools. No Christian, whether sincere or professed, will for a moment hesitate to admit that the conversion of the Natives of India to the creed of Christ is a consummation devoutly to be wished. There is no dispute on this point. But Dr. Duff, with great disingenuousness, seems to imply, throughout, that the question between himself and his antagonists is a question regarding not the means merely, but the end. He is too acute a man to have made this mistake unconsciously, and, therefore, it reflects great dishonor upon him as a Christian controversialist, to have so grossly misrepresented the point at issue. It would be an insult to his understanding if we were to explain to him at length the real state of the case. He cannot but know that the Government is not opposed to Christianity. He is well aware that in the Education Committee and at the Council Board, there are true and influential Christians, quite as zealous as himself, and he cannot pretend to believe that those gentlemen would keep their seats and act in concert with a body of men whose motives and designs were hostile to the cause of Christianity. We shall not waste another word upon this point. Dr. Duff's own eyes are wide open. We need not mind the matter—unless he is the dullest of mankind, he is wilfully in error. When he accuses Lord Auckland, the Council, and the Committee, of base and grovelling motives, and a desire to overthrow or thwart the cause of Christianity, merely because they choose different means of obtaining the very same end which he himself has in view, he must be quite conscious that he is acting with gross injustice, and in a mode that he would loudly exclaim against if it were adopted towards himself. Suppose that his antagonists were to pretend to be equally conversant with men's secret motives, and to say, that Dr. Duff's spiritual pride is gratified by being

looked upon as the only sincere Ambassador of Jesus in Hindustan, and consequently a much more potent and important personage than the Governor-General, or any other man of "mere human greatness, rank or power," but that in his innermost heart, he cares very little indeed for the souls or bodies of the heathen Hindoos. Suppose they were to add that his letters to Lord Auckland were only written to attract attention to himself, and to gratify "the carnal, grovelling, selfish" desire to advance his own worldly interests with certain Religious Societies in England;—Suppose again that when he makes an odd kind of offer to Lord Auckland of the "services of one so feeble and unworthy, should the exigencies of the state require them," he were to be accused of casting a sheep's eye on some fat appointment;—or suppose any other similarly unworthy motives were attributed to him;—such a proceeding would assuredly be base and ungenerous, abstractedly considered; but many might think it nothing more than a fair return for his own unjust inuendoes. He has certainly not done to others what he would wish them to do unto him. Nothing can be more truly unchristian than his mode of defending the christian creed.

Dr. Duff is perfectly aware that the great question at issue is not, whether a Biblical education would or would not be a blessing to the natives; but whether they would receive it; and whether because they reject it, they are to be denied a general education. He pertinaciously put the matter in a false light and implies that the question between him and the Government is, whether the Christian religion is desirable or not as a branch of public education. This is grossly disingenuous. The Government apprehended that if they were to introduce the Christian religion into their Hindoo schools, their schools would be deserted *wahis*. This apprehension, and this probable result, are carefully kept out of sight by Dr. Duff. It is a trick which will have, its effect in deceiving readers at home, but every Englishman in India will understand it. He speaks of English Education unconnected with open attempts at conversion as absolutely irreligious and immoral. But can a young boy read the works of Addison and Johnson, and Milton, and Cowper, and Young, and imbibe no just notions of his duty towards God and man? Are their works irreligious and immoral? Is it not a vast step gained that we can persuade Hindoo parents to allow their children to read such books, and accept the precious key of all the treasures of English Literature,

moral, religious, and political? The boy who can read Addison and Cowper, can turn, if he pleases, to that Holy Book to which those writers he finds in such repeated and reverent allusions. A copy of the Bible is, we believe, in the library of every Government School. We have seen a valuable copy of Scott's edition of the Sacred Scriptures at the Hindu College. We cannot help thinking that a Hindoo father evinces a noble liberality in permitting his child to receive an education at the hands of a people of contrary creed. And is the Government to be taunted with infidelity and "grovelling motives," because it does not take the advice of hot-headed zealots who, by their rash and untimely interference, would scare thousands of young Hindoo minds from that feast of education which they now enjoy, and which leads even nally to the knowledge of truth and falsehood. Introduce the Bible by force (and no direct reference to it could be made by Government that would not be regarded as an order) and not only the Bible but all Christian literature and English Education would be at once rejected, except by a comparatively small class of servile hypocrites of the lowest caste. It is a fact familiar, we presume, to Dr. Duff, that there have been more Christian converts educated at the Hindu College, where no direct reference to the Bible is permitted, than at the Church Assembly's School—and more sincere ones. The Revd. Christo Mohun Bannerjee, we believe, was educated at the Hindu College, and he is now a respectable Christian priest. He is certainly the most creditable convert that we have yet heard of. We have been told that one of the very few converts from Dr. Duff's school, a favorite pupil, was lately discovered to be a gross adulterer, and in other respects has proved himself to be so disgraceful a character that he is outlawed from all decent society. If we are mistaken on this point, Dr. Duff can correct us. The boys at the Government schools pay for their education. Those boys who obtain an education at Dr. Duff's go there because they cannot afford to pay any thing for their schooling. Natives love money, and they are eager to receive the benefits of an English education; but those who have the means, would rather pay for a general English education at a Government school than be compelled to see the Bible laid before them, and be made to listen to Christian prayers in a school where they receive gratis information that they are in the hands of the devil, and that the religion of their ancestors will lead them inevitably into eternal fire.

If an English Protestant were to send his children to a French Roman Catholic School, to learn the French language, would it be unreasonable in the said Protestant to ask for such neutrality on the subject of religion as the Hindoos expect from us? If the Roman Catholic teachers were not expressly forbidden to interfere with the religion of the Protestant pupils, would they not, if at all zealous in their own faith, very naturally be tempted to become active in the task of conversion? If Dr. Duff had children of his own at such a school, would he not under such circumstances, dread such a result? Would there be no danger of indiscreet active exertions in the cause of conversion on the part of Christian teachers in Hindu schools, if they had a general permission to talk and argue about religion? Would they not be tempted to shock the prejudices of the Hindoos by offensive representations of their religion? What would all this lead to? The result would be an odd kind of neutrality indeed!

A general English education has conched the mental eye of many a Hindu youth, and enabled him to see the deformity of superstition. He has accordingly rejected the innumerable deities of the religion of his childhood, and believes in one God. Is Dr. Duff of opinion that the same general enlightenment of the understanding which enables Hindu unassisted by his teachers, to see the falsehood of one religion, cannot possibly, without the aid of priests, lead him to recognize the truth of another? If Dr. Duff's scheme were carried into execution, it would be necessary to have clergymen appointed to every Government School, as referees in all questions of religion, for he would hardly be disposed to trust the ordinary class of teachers (of all sects of Christianity) in such difficult, delicate and important matters. Would he wish all teachers to be exclusively of his own persuasion? Or would he be satisfied with Episcopalians—or Roman Catholics—or Socinians—or Anna-Baptists? Are there not many Christian sects whose religious opinions are quite as hateful to him as those of the unhappy Hindoos themselves? Does he not think the Roman Catholics, for instance, as certain of eternal damnation as a Mussulman or a Hindu? Has he contemplated all these difficulties and niceties in his proposed scheme?

Dr. Duff calls all learning, but that derived directly from the Bible, the garbage of mere secular knowledge. Is this bigotry, or is it that "God-like liberality," which he attributes to his own peculiar views. Because we cannot give a Biblical education—we are to

give none at all! Painting, poetry and Music, History, Mathematics and Mechanics, are to be denied to a poor Hindoo boy who adheres to the religion of his ancestors. What monstrous absurdity and injustice is this! And yet the man who so argues pretends that he is only representing the will of Omniscience! He has the almost incredible impiety and presumption to confound his own reasonings with the decisions of the Deity. "How can ye," he exclaims, "How can ye hesitate between the obligation of yielding allegiance to the King of Kings, or of yielding deference to the suggestions of his adversaries." (All men are the adversaries of God who differ in opinion from Dr. Duff!) "How can ye halt between the infallible decisions of Heaven" (those of Dr. Duff!) "and the fluctuating maxims of a selfish carnal expediency" (those of Lord Auckland)?

Dr. Duff condescends to quote Lord Bolingbroke, to show that "to make Government effectual to all good purposes of it, there must be a religion; this religion must be national, and this national religion must be maintained in reputation and reverence." But in this sentence is Dr. Duff quite assured that Lord Bolingbroke contemplated the very peculiar relation of this Government to its subjects? To be sure not—and, therefore, how can it be made to apply to the question at issue? The national religion of Bengal is Hindooism—ought it be changed by brute force for the religion of a handful of foreigners? Or is Dr. Duff ready to carry out the principle of Bolingbroke and "maintain the national religion of the country (Hindooism) in reputation and reverence?" Dr. Duff will never be a fair reasoner until he is able in imagination to put himself in the position of the party whose wishes and interests are at stake. Let him fancy himself for a moment a Hindu, proud of the iniquity and firm in the belief of the religion of his forefathers. What, as a Hindu, would he think of the proposal of forcing Christianity upon him or his children? Or let him imagine himself under a Roman Catholic Government, what as a Protestant would he think of the toleration and liberality of his rulers if they compelled him and his fellow protestants to have a Roman Catholic Education or none at all? If Dr. Duff would oftener call to mind that divine precept—do unto others as you would they should do unto you, he would perhaps be a more candid reasoner.

We really grow sick of our task, and though many miserable sophisms yet remain

to be exposed, the impious presumption of a writer, who invariably supposes that his view of an argument must inevitably be that of the Deity himself, at last repels us from all further consideration of the point at issue. We are truly concerned to see a gentleman of Dr. Duff's talents and attainments, expose himself so wretchedly to the ridicule and rebuke of every one, who has the least glimmering of genuine logic, or a proper sense of that candour and courtesy which is due to an antagonist, in canvassing any question of general interest.

Of the style of Dr. Duff's letters, we suppose we must offer an opinion; but we regret that we can say nothing favorable of it. His epistles are declamatory, and bombastics. In a literary sense they are remarkably unchaste. They do not read like written compositions. The reader imagines himself listening to the preacher, not perusing the author. A preacher often gets into the habit of needlessly lengthening out his matter to fill up the appointed time; and too frequently does little more than spoil the most beautiful Biblical phrases by huddling them confusedly together and making a mere convenience of them as sounding expletives. He is also more accustomed to dictate to his silent congregation than to appeal to the reason of mankind, or invite discussion. These peculiarities of the pulpit often give a character to the works of clerical authors, and they are particularly conspicuous in the controversial writings of the Reverend Dr. Duff.—*Hurk. July 26.*

MR. EDITOR,—Honestly regarding your neutrality hitherto as "dignified," compared with the kind of activity displayed by some others in the education controversy, I did not scruple to give expression to the feeling thus honestly entertained. In the same spirit of ingenuous frankness, I cannot now help expressing my honest conviction that when you have chosen to break silence, your peculiar mode of interference is any thing but "dignified." However, as you yourself must be the best judge of what suits your own dignity, you must also be the best judge, as to the most appropriate mode of manifesting it to others. No one, therefore, has any right to complain that, after three months' preparation* the Editor of the

Hurkuru has at length been pleased this morning, to exhibit himself to his readers in his most "dignified" editorial attire—an attire so richly and gorgeously overlaid with barbaric pearl and gold," from the imperial treasury of controversial expression.

In the face of so magnificent an exhibition, to argue or even to attempt to argue—to repudiate or even to attempt to repudiate the most unwarranted insinuations—to deny or even to attempt to deny the most unfounded inferences—to correct or even to attempt to correct the most marvellous misconceptions, and misapprehensions, were utterly vain—preposterously useless. Whatever may be alleged, as to the spirit, style, and manner of my letters, by those who have never yet fairly met, or in the least degree invalidated, any one of the main or leading positions which I have occupied,—sure I am that the *Hurkuru's* editorial of this morning needs no comment and requires no exposure, either as to its manner or its matter. There is a self-evidencing spirit in it which as surely betrays the character of the writer's mind and principles, as the peculiar odour of sulphur-retted hydrogen indicates the nature and predominant quality of the spring or fountain, whence it emanates.* With all candid, sober, and reflecting people, therefore, it will itself furnish its own best answer. With such persons, the sheer extravagance, both of its manner and matter, will supply the best antidote—rendering any other reply wholly superfluous—a work of absolute supererogation. And if men will not candidly, soberly, and reflectingly consider the subject, it were all one, were an angel or archangel from heaven to address them. To produce skilful caricature requires some wit; but to produce a complete distortion or disfigurement requires no wit at all. The glorious sun himself may be caricatured on the canvass; it requires only the touch of a chimney-sweep, to represent him, as quite black. Should a scenic painter, in delineating this shining orb, represent his spots as larger or more numerous than they really are, it might be supposed that the circumstance had arisen from some ignorant blunder or unintentional mistake. But should nought at all of the sun be exhibited to the eyes of spectators, except his spots—and these, too, in a selected, contiguous, and magnified form,—no one who had brains at

* If Dr. Duff thinks, that we have devoted three months to the study of his lubberations, he is very much mistaken. We had not devoted to many days, to the Reverend Doctor and his *Phillips*, when our Monday's article was written. When the *letters*, in a collected form, were sent to us by Dr. Duff, we read them, as soon as we could find time, and noticed them, as it is our wont to notice books sent to us for review.—*Ed.*

* We cannot but admire this ingenious periphrasis—a more delicate method of calling us a *devil*, could not have been hit upon. Perhaps, however, we wrong Dr. Duff; but, if this be not intended, the chemical illustration is unfortunate, as tending to such a suspicion.—*Ed.*

all, however witless or shallow, could help from discerning that the representation was designed, and that it was diametrically the opposite of the reality which it professed to represent. The palpable, obstructive, self-manifesting evidence which such a representation exhibits of its own utter untruthfulness or unlikeness to the object professed to be represented, must render any other evidence, *ab extra*, worse than superfluous. The Editor of the *Hurkaru*, without, of course, being presumptuous enough to arrogate omniscience to himself, while reprobating the imaginary arrogation of it by others, professes to know vastly more of the secrets of my head and heart than I ever knew, or know now, myself. At least, in his editorial infallibility, he writes as if this were really the case. But, unable to annihilate my own consciousness, and not deeming it desirable to do so, if I could, I simply enter my earnest and solemn protest against the truth and faithfulness of the delineation which he has been pleased to furnish in this morning's *Hurkaru*—a delineation which, doubtless, will fully answer its destined end—as the merriment of the ungodly and the ribaldry of the profane this day will amply testify. The writer has done his work—and he will meet with his due reward. In its present form, his delineation is just as much a diametrically opposite representation to what the original really is, as the supposed collected and concentrated black-spot representation of the printer would be, of the solar orb. And so long as I carry this living consciousness about with me, it matters little what may be the caricaturists' imagination. Let this matter be as wild, or excursive, or exaggerative as it may; it will not by one jot or tittle, affect the true nature of the reality, in the estimation of any one who knows it. And those who know it not, however misguided by false representations now, will be sure to know it hereafter;—when God shall take away the darkening veil from all understandings and all hearts. In this evening's *Courier* will, I believe, be found the only defence which I shall ever make, both as to the manner and the matter of my letters. To that I refer you; and you are more than welcome to make of it, just as little or as much as you please. As I have there said in substance, (for I have no copy by me of the article,) I may live to regret the use of particular words or expressions, which may have unnecessarily wounded the feelings of those, whose consciences are variously entrammelled; but, God forbid that I should live to see the day when I shall regret having given expression to the principles and sentiments,

which constitute the pith, marrow, and substance of these letters;—for that would be a day, in which I must become an apostate and a reprobate:—that must be a day, in which I should be tempted, by satanic influence, to believe the Bible to be a lie throughout, and the scheme of redeeming love a revolting fable! God forbid, then, do I emphatically repeat it—God forbid, that I should live to see such a day. One single command of my God and Saviour, such as, “go ye into *all the world* and preach the *gospel* to *every creature*,” outweighs, in my own mind, as a divine principle of Christian obligation and duty, all the mountain-piles of in terror appeals, and worldly policy, sophistries, and carnal-expediency reasonings, which all the Editors of all the secular newspapers in the world could possibly accumulate through the indefinite ages of a coming eternity.*

But even, Mr. Editor, if your editorial of this morning had been penned in a more sober candid and reasonable spirit than it now indicates—even then would I find it impossible to enter into any controversy with you. In a case, where parties differ so widely as you and I seem to do, in regard to first principles it is impossible to attempt to argue at all, without widening the chasm—the impassable gulph—that lies between us;—without increasing indefinitely the breadth or measure of the divergence between our onward conclusions. You have either stated, or have given ground for surmising, what your principles are. I have openly, undisguisedly, and carelessly avowed mine. People of candour will now judge between us; the results may yet be manifested in time;—the eternal awards are in the hands of God. Despite your terrific denunciations, every lay tends to deepen my own persuasion that the principles which I have advocated are either identical, or at least, not unaccordant with those revealed in God's Holy Oracles. Unlike the worldly sentiments that are written in perishable characters on the shifting sands of public opinion; or committed to the withering leaves of human wishes, that are liable to be tossed to and fro by every

* Who can doubt that Dr. Duff is right in this?—who can question such principles?—Not the members of the Government—not the Members of the Education Committee—not even the Editor of the *Hurkaru*. We only say, keep this, at present, distance from National Education. The time has not yet come, when the Government can safely interfere with the religion of the country. Private efforts may be employed, and employed successfully; but the first Government manifestation will create an alarm, which years will not allay, and which will throw back both the cause of the Gospel and the progress of Education.—Ed.

fresh gale of self-interest or carnal expediency;—these revealed principles are engraved, as on “eternal brass,” and all the opposing powers, whether of earth or of hell, will never, never succeed in erasing their “everlasting lines.”

I remain yours, as heretofore, very truly,

ALEXANDER DUFF.

26th July, 1841.

[Hark. July 28.]

We publish, elsewhere, a letter from the Revd. Dr. Duff, the object of which we shall not attempt to explain to our readers; for, although we have perused it with much attention, we have been utterly unable to discover, that in any one single respect, it has advanced the controversy, the breadth of a hair beyond the point, which it had before attained. Whether letters of this description are calculated to raise the writer, in the estimation of his own immediate partisans, we do not pretend to know; but we do know, that his partisans must entertain a very mistaken idea of what is becoming in a Christian minister, if they think that such effusions display the character of the reverend disputant in a very amiable light.

Dr. Duff says, that if he has conducted the controversy intemperately and uncharitably, we have committed the same offence; but Dr. Duff, apparently, forgets that those asperities, which are unbecoming in a secular journalist, are a hundred-fold more unbecoming in one, who proclaims himself a minister of the Gospel. He forgets, too, that the harshness, and vehemence of the secular journalist do, in respect of example, but little injury to the cause of Christianity, whilst such public manifestations of a want of temper and forbearance in a Christian minister, as those into which Dr. Duff has been betrayed, are calculated to do infinite injury to Christianity, wherever his publications are read. “If this,” says the heathen reader, “be the spirit of genuine Christianity—if the writer of these pages be, as he declares himself, the representative of the true Christian Priesthood—shall I seek any closer acquaintance with Christianity and Christian priests.” We have laid claim to no superior sanctity—we have not professed ourselves to be moved by the holy spirit—we write but as men—mere secular journalists, expressing our own opinions and freely acknowledging our own errability, moral and intellectual. Dr. Duff, on the other hand, has declared himself as the expositor of the will of the Most High—influenced by no earthly feelings

but by a pure and abstract love of the Redeemer. After this declaration, it behoved him to have taken heed of what he utters. He has incurred the deepest responsibility, and he should have weighed every word spoken, lest one should creep into his controversial writings, at variance with the meekness—the humility—the forbearance—the charity—the loving-kindness of genuine Christianity. We have not incurred this responsibility; but have written, in our calling, as secular—but not Anti-Christian—journalists; and if, in that character, we have shown an unbecoming spirit—have been harsher—more intemperate, than we should have been, we offer no defence—attempt no palliation. We have erred—*humanum est errare*.

So much as regards manner—and, now a word about the matter of this controversy. Dr. Duff seems to insinuate that we have shirked the main question—it appears to us that we have gone to the very marrow of it. Dr. Duff is of opinion that it is an ungodly act, on the part of the Government of this country, to institute a system of national education unconnected with national evangelization. The Government party, on the other hand, are of opinion, that every attempt to incorporate the two will be attended with the subversion of both. As in the wild and unnatural fiction of the younger Godwin, the attempt to transfuse the soul of one votary into the body of another was crowned by the destruction of both, so, think the public instructionists, will the attempt to transfuse the soul of evangelization into the scheme of national education bring inevitable destruction upon both. The Government party—or, at all events, many members of the Government and of the Education Committee—are as desirous of the extension of Gospel-knowledge as the Reverend Dr. Duff himself; but they think that the measures, which Dr. Duff would adopt, are calculated not to advance, but to impede the spread of Christianity. It seems necessary to repeat this, time after time; for Dr. Duff either does not, or will not understand that both parties are working towards the same end, else should we be ashamed of repeating ourselves in this wise. Dr. Duff is for a direct attack, Bible in hand, on the citadel of Heathenism—the Educationists are for sapping up, slowly and cautiously—destroying the outer defences, without noise or violence, and, at last, effecting a lodgment, after long but almost unseen operations. But, cries Dr. Duff—this must be a work of time; and in the meanwhile how many souls are lost! The answer is all ready. It is better to succeed in a year, than to fail in a day. Dr. Duff may fail in a day—nothing easier. The

educationists hope to succeed in time—hope to succeed, by rooting out prejudice and superstition, by severing the bonds of caste, by laying a substratum of sound knowledge and morality,* on which the superstructure of religion is to be raised—but Dr. Duff says they are atheists—followers of Anti-Christ—imputes to them not only infidelity, but enmity to the Gospel. Who accuses him of the same?—no man. We respect the opinions of Dr. Duff and his party, as we respect all such opinions, when we believe them to be sincere; but we think that Dr. Duff is mistaken, that, which we do not respect in him, is his want of charity and forbearance—his want of temper—his disingenuous mode of misrepresenting his antagonists—his assumption of the character of a Christian minister, and the indifferent manner in which, as a controversialist, he supports it. We have a right to expect more from one standing forward, in this character, than from the mass of secular disputants, who do not step forth in a character, invested with peculiar sanctity; and expecting this, we have been disappointed. We think Dr. Duff mistaken in his opinions; but these opinions we respect. We find it, however, utterly impossible to respect his manner of enforcing his opinions; and, we think, that when the heat of controversy has subsided, Dr. Duff will look back with regret on the part which he has taken in it, remembering how the disciple, was rebuked, when he drew the sword in defence of his Master. That disciple was, doubtless, a sincere and loving one—we believe Dr. Duff to be the same—but if the former merited a rebuke for acting, as he did, in such a crisis, how much more worthy is the latter of rebuke, for having, deliberately and reflectingly, drawn the keen sword of controversy and smitten his opponents on every side. We may be the High-Priest's servants—Dr. Duff, we are afraid, thinks us something worse—the servants of the Archfiend—still Dr. Duff was not justified in drawing the sword on us, and his other opponents. He must bear in mind, too, what was said on the solemn occasion, to which we have ventured, not irreverently, to allude; and,

* Dr. Duff has delivered himself of an argument to the effect that a high state of intellectual culture may be co-existent with gross moral deformity—we admit this much; and, alas! for human nature, we must add, that gross moral deformity is often co-existent with a high state of professed Christianity. The Educationists endeavour to instil sound Christian morality into their pupils, hoping that the knowledge of what is right in ethics will lead to the practice of what is right. To make men moral or to make them Christians is beyond the reach of human power. The most that we can do here is to teach our brethren morality and Christianity.

bearing this in mind, he must not complain of the want of courtesy, which has been shown to him. If opprobrious expressions have been used by others, in the course of the controversy, Dr. Duff can not fairly complain that he has been made the object of them, because he set the example. What courtesy has a disputant a right to claim, when he himself calls his opponents atheists, and followers of Anti-Christ?—*Hark. July 23.*

To the Editor of the Bengal Harkaru.

MR. EDITOR,—Having no desire whatever to prolong the education controversy any farther, still less to prolong it, in its present transition-form from the argument of principles to the argument of personalities,—I simply crave your indulgence for the insertion of one or two remarks relative to the tone and temper, so often complained of as assumed by religious men, in the opposition to what they most conscientiously believe to be deadly, or even Anti-christian errors.

If, Mr. Editor, you beheld any man, or body of men, pursuing, ignorantly or knowingly, intentionally, or unintentionally, any measures which you, honestly, believed to be in their tendency, altogether injurious to the temporal right and interests of your fellow men:—would you not feel yourself justified in strongly protesting against such measures? If, in like manner, I and the hundreds, who think with me, behold any man or body of men engaged in carrying on, ignorantly or knowingly, intentionally or unintentionally, any schemes, which, in their tendency, though not, it may be, in their design, we honestly believe to be dishonoring to the God of Heaven, and ruinous to the everlasting interests of the souls of our fellow-men:—are we to be denied the privilege of strongly protesting against such schemes? Surely, Mr. Editor, you, of all men, ought to be, and are, I hope, the last to deny us a privilege like this? Well, then, in your own supposed protest, would you not feel impelled to write warmly and even vehemently, just in proportion to your own estimate of the magnitude of the interests believed to be injuriously affected by the measures against which the protest has been raised? And ought such warmth or vehemence to be fairly construed as indicating any thing else except the sincerity of your motives, the reality, strength, and energy of your philanthropy? Surely not. Why, then, should not the same rule of justice and charity be extended, towards those who, rightly or wrongly, do honestly believe that the magnitude of the interests, which they

consider to be affected injuriously by certain schemes, surpasses that of all earthly interests, in the proportion of eternity to time? And why should not their warmth and vehemence be fairly and candidly judged of in a way somewhat commensurate with the scale of such proportion? Why should they not be at once construed as indices merely of the deep sincerity of their motives—the overwhelming strength and ardour of their benevolence? How long are warmth and vehemence to be not only tolerated, but applauded, in particular exigencies connected with the minor affairs of time; and to be repudiated and branded with disgraceful epithets, when manifested in any exigencies connected with the immeasurably more momentous concerns of eternity? If, to feel strongly and to express one's self strongly, when these greater concerns are honestly believed to be affected injuriously; if thus to feel and thus to write be denounced as heat and violence, and so forth, then must I maintain that, however denounced, as heat and violence, and so forth, it is a lawful heat, a holy violence—it is a heat and a violence—if these and such like terms must still be retained and applied—a heat and a violence of a right mind, of a sanctified nature. It is a heat and a violence which have been manifested in all ages, by Prophets and Apostles, Martyrs and Confessors. “Nor is it always wisdom” (to use the words of an author already quoted in a letter addressed to one of your contemporaries) “to be cool and slow, any more than it is virtue. On the contrary, nothing very often is more prudent, than to be vehement; and nothing more foolish than to be listless and heavy! though the idea of wisdom has of late, I know not why, been attached to the art of doing and of feeling nothing. And, therefore, those grave talkers who tell us, upon all occasions, that passion will never convince, might have spared that sage aphorism. Who ever said it would? Or, how do they prove that we bring no reason to convince? Nay, that our reasons are not clear and cogent, even to the force of a demonstration? I know almost as well as if the objection were already made, that I shall be censured by some, as having been pleading all this while in defence of rage and fury; though I have expressly declared the direct contrary. I only say that all rebuking is not railing; and that all vehemence is not extravagance; and though the latter be always blameable, the former is often our indispensable duty. Nor do I say that the earnestness for which I contend, is always proper. It is only to be used on some occasions, and to some persons; and prudence will sufficiently direct us to

both. I have more than once remarked upon the temper of those unreasonable men, who, while they unjustly accuse us of heat and uncharitableness in the best of causes, are themselves most outrageous and malicious in the worst.” So felt, and thought, and wrote a great, and wise, and good man in a bye-gone age. And so I need not be ashamed of feeling, thinking, or writing now, on a question of such absorbing interest as that relating to the education, intellectual, moral, and religious—of the people of India. As to “style,” I shall satisfy myself with simply noting the observation of Cowper, who, in “a half-sad half sportive vein,” once remarked to his friend John Newton, that “the world was singularly unwilling to admit any style to be good which recommended Christianity or Christian objects.

With these remarks and desiring heartily to respond to the milder and more reasonable tone, as well as ready acknowledgments, exhibited in this morning's *Hurkaru*,

I remains yours truly,

ALEXANDER DUFF.

Hurk July 29.

Elsewhere will be found another letter from the Reverend Dr. Duff. The object of it is to defend his controversial violence, or, rather, to show that it is not violence, but earnestness. He, moreover, contends that, having truth on his side, and the welfare of countless souls depending upon the issue of this momentous question, such warmth, as he has displayed, is not only venial, but commendable.

Dr. Duff, begs the whole question—he says nothing, which his opponents may not say with equal sincerity. Dr. Duff's opponents are of opinion that the course for the adoption of which he contends, however sincere he may be in his contention, is calculated not to advance, but to retard the progress of the Gospel. They may say that their's is a righteous violence—that their's is the cause of Christianity—they may take Dr. Duff's words out of his mouth and use them in defence of their own violence.

Dr. Duff would fain make it appear, that it is a contention between Christ and Anti-Christ. He clings to this assertion still. It is the last feeble declaration of the now expiring controversialist.

But, supposing it were as clear, as the sun at noonday, that Dr. Duff not only has the interests of Christianity at heart, but that the

means he would adopt for their advancement are those best calculated to be crowned with success, still Dr. Duff's violence is neither praiseworthy, nor venial. We do not admit that it is no more than earnestness—earnestness, when attended with a want of charity, deteriorates into violence—energetic appeals become angry invectives. Dr. Duff had shown himself more desirous to persuade than to denounce—to convince than to convict—if he had written “more in sorrow than in anger”—if the alleged errors of his

opponents had appeared to excite in his breast fewer emotions of wrath, than of pity—if he had not denounced the motives, as well as the measures of his opponents—in short, his earnestness had seemed to be the earnestness of love and charity, we should not have written one word against such appeals, however energetic the language in which they might have been couched. But earnestness without charity is unbecoming violence, let the subject of the controversy be what it may.—*Hulk July 29.*

STRAITS' AFFAIRS.

No. I.

TO THE RIGHT HONORABLE THE EARL OF AUCKLAND, GOVERNOR OF BENGAL.

MY LORD.—Were the public characters, and the capacities of your Lordship's subordinates, who exercise the local powers of Government in the Eastern settlements, such as to justify my placing confidence in them, I should not now address your Lordship. Could I bring myself to believe that my own rights and interests and those of my fellow-subject in these settlements ever occupied the serious consideration of your Lordship—were I satisfied that the governor of the Straits made it his anxious and daily duty to enquire into every department of government, and to suggest measures for their improvement, for promoting the interests of the settlement, for warding off impending evils,—were I even assured that the few suggestions which he occasionally offers were drawn from a keen and searching examination of the actual condition of things which he would see changed, and were the fruits of a calm and unbiassed judgment, and only made after a careful consideration of the probable working of the measures of reform which he ventured to recommend, I should be well content to remain silent, following my own pursuits, and confident that nothing affecting the common good escaped the watchful attention of Government.

But when I see Government utterly disregarding, nay actually ignorant of numerous evils from which every man in the settlement suffers more or less, and which would allow no rest to a Governor of capacity and energy until he had procured their removal—when I see the grandest aim of every civilized community, the pure and efficient administration of the laws so unprovided for, a Court in its constitution so anomalous and absurd, a court of which four Judges out of five are ignorant of the very laws of the realm, which theoretically they administered,—when I know that the local servants of Government

allowing their personal feelings to supersede their zeal for the public good, recommend to your Lordship the destruction of all that is really efficient and beneficial in the court, and the retention of all that is absurd, unconstitutional and dangerous—when I know how many amendments in the system of laws under which we live—so noble and efficient as most of its provisions—are called for, and might, without danger or difficulty, be introduced, and see your Lordship content to seek information from men who, so far from being capable of recommending useful alterations, are not able to trace the operation of the existing laws, and can no more advise the Legislative Council of the reforms required than they can legislate themselves:—when I see the extraordinary agricultural capabilities of this settlement, its rich soil, admirable climate, and adaptation for the culture of every tropical vegetable; its vast superiority over the continental territories under the East India Company, shown by the high character of its spices and other products which are unknown to these territories, and the perfection of its sugar-canes, coffee, rice, &c., compared with which the same plants in India appear dwarfed and stunted; and when I see that not only is no anxious attention paid to this most important element in the welfare of the settlement, and no efforts made to encourage the development of its rich and unbounded resources, but that legislative acts are passed which display an ignorance of the nature of tropical agriculture truly astonishing—when it is considered that some of the executive officers of government are Plinian themselves, and which seem actually to be the results of well contrived schemes to discourage planting altogether,—when I see the roads of Pinang, the keeping up of which is so essential to the daily business of a great portions of its inhabitants, and for which they are so severely taxed, actually, in many of the southern and western rural districts, for months in the year nearly impassable from broken bridges and yawning chasms into

which Decius might have plunged ;—when I see a Police all but useless, and in many respects worse than useless, month after month, year after year, villages attacked and plundered, the inhabitants murdered, and the vengeance of the law never overtaking the perpetrators ;—when I see a body of Revenue and Farm Regulations in operation, utterly disgraceful, and which give rise to more injustice, more villany, and more crime than any laws of the most despotic state could possibly occasion ;—when I see a very large and important portion of the settlement, containing a population of nearly fifty thousand, abandoned for fourteen years to the almost irresponsible and certainly uncontrolled, power of one individual, of whose fitness for his situation—Government had obtained no guarantee whatever,—when I see hands of poor and oppressed native landholders crowding the door way of the Governor and pressing accusations of a dark nature which he refuses or delays to investigate, and allows complaints and dissatisfaction to increase,—when, turning away my eyes from the glaring evidences of misgovernment around me, I see a scheme of a rival European power, which has been steadily pursued for two hundred years, now rapidly advancing to completion, its political supremacy already established over the greater part of the Malayan Archipelago, and its commercial monopoly, involving the destruction of the trade of Singapore and Pinang, only not made absolute and universal, because its avowed design to seize the entire dominion of Sumatra, is not yet fully accomplished ;—when I see that Great Britain is soon to be shut out from the rich traffic of the Malayan seas by a series of practical robberies, and a system of commercial restrictions, committed and established in gross infringement of a solemn Treaty with the state that owes its present existence in the Archipelago to our generosity ;—when I see the vast commercial interests of Great Britain in the East seas, once guarded by the able, ardent, watchful, and indefatigable Raffles, about to be sacrificed for ever, through the carelessness of a Bonham ; when I see the very name of a British Government disgraced amongst the Malayan nations, by its persecution of the King and Chieftains of a state once the most honored amongst them all, and am not able to give the lie to those who accuse England of forcing a rule of lions in the shape of men upon its inhabitants, when I see the stream of human slaughter rising to heaven from the plain of Quedah, as from a field of blood,—hear the yells of the hell hounds of Siam cheered on by a Government daring to call itself English,—hear

the groans of tortured men and the screams of violated women,—see the speechless agonies of deflowered maidens and the warm blood flowing from the mangled bodies of children,—see the fathers and the husbands, a patriot band, gathered for their freedom, imploring England but to be allowed to remove the cause from their country and drive their oppressors from the face of the land and priding in vain !—for the sword of England is yet unsheathed by which the blood of Malays was shed that crime and devastation might more abound in Quedah than peaceful industry ;—when on all sides I see internal misgovernment, purchased by an enormous robbery of the public, I cannot longer maintain a submissive silence, and when looking without for the usual fruits of British neighbourhood in the respect and confidence of the native states, I see that we are feared, distrusted, and by some detested, I am filled with indignation that any Government should have dared so to lower the name of my country—should have dared to make England infamous. I am forced to appeal from the incapable and soul-less triflers who fill the offices of Government here to your Lordship, who is responsible to Great Britain that every inferior officer in India shall do his duty, and assuredly if these things remain longer disregarded, and your lordship's duties, as well may be, are too onerous to suffer your regard to be fixed on the Straits, I shall tear the veil that ignorance and distance have interposed between the eye of Great Britain and her colonies here, and make all England ring with the tale of their misgovernment.

It is not because I do not place the utmost confidence in your Lordship's government that I have chosen a style of address that may seem that of complaint and dissatisfaction. I have every trust in the justice of your Lordship, but I have little reliance on your Lordship's knowledge of the condition of this settlement.

And I write to supply that knowledge—to rescue this settlement from unmerited neglect—to disperse the thick cloud that has hitherto brooded over and concealed it—and to let in the light of public opinion, upon all its dark places ; to create discussion, to rouse the local functionaries from their slumbers, and make them feel that they are watched ; that for every act they must answer at the bar of public justice, and that for every omission and neglect & day of reckoning is at hand, to remind them what in practice they have forgotten—that this is a portion of the British Empire, and that every inhabitant of the settlement is a British subject, and will, before long, claim and receive

the sympathy of all British ; that even-handed justice, though long delayed, will soon be extended by the Imperial Parliament to all the colonies of the Empire, and the rights of every man, be his colour or creed what it may, will be recognised and cared for by those to whom their supercilious neglect of the welfare of their native fellow subjects will appear a mark of folly, and the strongest proof of their incapacity for the duties of their office.

Before concluding this letter, I shall permit myself to indulge the belief, that however strange many of the features of the picture I have sketched may now appear, and however unwilling your Lordship may be to give implicit faith to statements which certainly reflect little credit on the administration of the government of this settlement, the care I shall take to make no assertion which I cannot prove will ere long, procure for me that confidence which would otherwise hardly be accorded to an anonymous writer. I do not disguise myself that I may utter reproaches, attack the characters of men, and be instrumental in spreading hasty and unwarranted opinions with impunity. But I feel that, in every small community, he who would come forward in his own person to assume the task of senator and reformer, must sacrifice himself. I trust I may be allowed honestly and boldly to expose a rotten system of government, without forfeiting the good-will of those who may be publicly connected with it, and whose private life I may know and esteem. Should it prove otherwise, I shall not shrink from the duty which I have laid on myself, only because no one else seemed willing to undertake the labour. Let justice be done whatever consequences follow. I only add, that if any one shall feel injured by undeserved censures, which in dealing with so extensive a subject, I may possibly inadvertently pass, I shall gladly atone for the wrong by acknowledging the error, and when convinced that truth and justice and the cause I have undertaken demanded a free utterance of merited censures even of individuals, I shall not screen myself behind an anonymous signature when the truth is impugned.

I have the honor to be, my Lord,
Your Lordship's most obdt. Servant.

EASTERN PEN.

Government Hill, Prince of
Wales' Is'and, March, 1841. }

Englishman, May, 29.]

No. II.

My Lord,—The first letter which I had the honor of addressing to your Lordship,

touched slightly and rapidly on some of the most glaring fruits of the misgovernment of the Eastern settlements. On each of the subjects to which I therein alluded, and on many others, I shall be under the necessity of addressing your Lordship separately and at length. The task will be laborious, often painful ; for men in office here have been always inclined to shut their eyes to grievances, to shrink from the consideration of affairs that demand grave and anxious thought to follow the easy beaten track of official duties little more than mechanical, and to have their own pleasures and profits more at heart than the good of the settlement. The consequences have been lamentable evils that might have been nipt in the bud have grown up rankly and spread with baneful luxuriance. The officers of Government, too idolent to grapple with the accumulation of difficulties and malaises bequeathed to their care, often men of inferior talent, and unable, even if willing, to assume the task of reformers, and all better pleased to let things remain as they are than to provoke the censures of Fort William by laying open the long chapter of omissions and misdoings which they, as well as their predecessors, have contributed to fill, nay some of them having a direct personal interest in the continuance of darkness and corruption—have become so tainted in their very ideas, and incapable of seeing evils even when pointed out to them, have acquired principles of judgment and conceptions of right and wrong, so very much at variance with moral characteristics of men in England—that he who would attempt the Herculean task of reform must expect little less than opposition—the most obstinate and unreasonable, and the display, in more than one shape, of a tyrannical desire to stifle the advocacy of justice that wrongs may still remain hidden.—When I shall have laid bare the whole system of Government as I now see it working around me I shall leave the prosperity of the settlement to your Lordship's care for a time. But if I find that my representations are either disregarded, or so explained away by those whose interests flourish best in darkness and deception, that your Lordship refuses any interference, I shall be then driven to a painful course, which my trust in the justice of the Government of Bengal will hardly allow me to anticipate. I shall then be forced to appeal to the British nation and, doubtless, shall find many to whom statements, plain and honest though not official, may seem deserving of attention. The first subject mentioned in my previous letter, was the administration of justice; and as it is a subject more

important as regards the internal welfare of the settlement than all others, it has the strongest, and, from circumstances to which I shall presently allude, the most urgent claims on the attention of your Lordship. In giving my humble but earnest opposition to the sweeping and inconsiderate changes that are generally understood to have been for some time contemplated in the system by which justice has been hitherto administered, I can have no wish to offer remarks of an invasions tendency; but as many Government Functionaries in the straits, partly in order to recommend themselves to the favor of their superiors by suggesting alterations beneficial to the East India Company's Treasury, though pernicious to the community, partly in order to recover that absolute power which can never co-exist with a Queen's Court, partly because as Lay Judges of the Court, they are constantly under the terror of the professional Judge's knowledge of law, and fearful, in their ignorance, of making mistakes which could not escape his observation, but which, where he removed, and were law Agents forbidden to enter their Courts, they might make with all impunity, partly out of a desire to cavil at established laws which they are obliged to administer but cannot understand, and are ambitious to shew themselves wiser than the legislature of Great Britain, to emulate the fame of Solon, and give new laws and new Courts to the straits, and partly from other causes of less account, have employed all their eloquence in endeavouring to persuade your Lordship and your predecessor in the Government of the straits, that the abolition of the Court of Judicature, the supersession of the laws of the realm by a new code of laws, and the expulsion of English lawyers from the settlement, are measures demanded by justice; and as your Lordship, through their statements, has probably been led into some great errors pregnant with evils the most disastrous that can befall this settlement, I cannot avoid touching on the real motives of representations of such dangerous tendency which come recommended by a seeming zeal for the welfare of the community.

I shall first briefly notice the judicial history of the settlement, and then endeavour to draw your Lordship's attention to some of the most obvious circumstances of its actual condition which would naturally be the first subject of enquiry to a legislator who wished to introduce any legal reforms. I deem this to be a very essential part of the duty which I have undertaken, for I fear any opinions of your Lordship or Lord Wm. Bentinck may

have been led to entertain on this subject, must have been founded on ideas more or less theoretical and suppositious, and derived, not from a true and practical view of the reality, but from whatever distorted impressions the local servants of Government may have chosen to convey in their correspondence.

When Prince of Wales' Island was occupied for the East India Company in 1786 it was, in the words of the charter of Justice, 'wholly uncultivated and uninhabited.' The settlement became, in the strictest sense of the term, a British Colony, and, according to a well established principle, the laws of England immediately prevailed, and every future settler, of what nation soever, by acquiring a permanent domicile in the colony, subjected himself to English law, and became for all ordinary civil purposes a British subject. In this respect your Lordship will not fail to observe the wide distinction between Pinang and every previous settlement of the East India Company. At this moment, while the term "British subject" in the Indian Courts is limited to British-born subjects and their legitimate descendants, the same term is by the Straits Court applied to every inhabitant of the settlement, and no distinction is ever made between British born residents, and those born in any Asiatic country. During the first fifteen years of the colony, the superintendents experienced the utmost difficulty in providing for the security of the persons, rights, and property of the rapidly increasing population under their charge. They were obliged to have recourse to the miserable expedient of the Dutch settlements, and commit the administration of justice in each class of inhabitants to a native merchant of that class who, ignorant and corrupt, used his power for ends very different from the repression of injustice. The superintendent affected to adjudicate for the European settlers, but being possessed of no real judicial authority, their interference was of little avail. In the year 1801 Lord Wellesley, then Governor General, sent Mr. Dickens, an English barrister, who, I believe, had been practising at the Calcutta bar, to the office of judge and magistrate in Pinang. The Governor General, in a despatch to the Court of Directors, recorded as his reason for this appointment the reputation of Mr. Dickens as a barrister and his qualification for the judicial duties of this island, which had then become laborious and important. He informs the Court that he would afterwards address them on the subject of 'the constitution of the Court of Judicature, which he proposed to establish at

Prince of Wales' Island.' When it is considered that the number of the inhabitants of the settlement was only then one-fifteenth of what it now is, and that their legal relations are now infinitely more complex than they could have been at that early period, a natural feeling of astonishment arises that the principles which guided Lord Wellesley's Government and led to the institution of a tribunal of justice unconnected with any Government office, should so little weigh with the civil servants of the Straits that they now seek to revert to the unconstitutional and barbaric state of things for which Lord Wellesley so anxiously sought a remedy. Mr. Dickens, in a letter which he addressed to the chief secretary to the Supreme Government in 1873, notices the important fact, that although his predecessor was first assistant of the Lieut. Governor, and bound, as such, to carry the Lieut. Governor's orders into effect, he himself had not been appointed assistant to the Lieut. Governor, "no doubt, he adds, because the wisdom of his excellency in Council foresaw that the best security for the impartial administration of Justice in an Island where the Government is often virtually interested in the decisions of the Judge, was the independence of the Judge." Mr. Dickens remained in Penang for nearly five years, and on the close of his judicial career drew up an able minute which, with the letters he had previously written to the Supreme Government, presents a picture of the lawless condition of the settlements prior to the establishment of the Court of Judicature, which should have convinced the local advisers of Government of the folly of intermeddling with the constituted tribunals of justice, and shaking the confidence of the community in the continued administration of British laws, until they were prepared with a plan of a new system better adapted to the circumstances of the settlement, and the introduction of which would be safe and practicable. During the existence of the Court of the Judge and Magistrate the same great principles so essential to be engrained on the minds of every Government that would legislate for this settlement were clearly brought out, which are written on every page of the records of the Court and of the Government, and on none more forcibly than the last. The tendency of the Government functionaries of the Straits to confound power with right, and the advantage of the patrons and employers with justice, originating in their dependent position, their long habits of domination, and in their never having been subjected from their youth upwards to the influence of the opinions and

sentiments of society, which in Europe forms the minds of men to just and manly principles, their jealousy and dislike of a judicial system, which destroys their tyrannical power over the community, and controls, by a rigid adherence to law, every aspirant to a greater amount of individual power than consists with principles of the constitution—all as plainly appear on the records of the Court of the Judge and Magistrate as on those of the Court of Judicature. As a proof of the entire incapacity of any body of executive officers to assume judicial functions, I may here mention, that before the Court of Judicature was instituted, the Governor and Council had contrived to involve themselves in a labyrinth of difficulties and embarrassments, in their vain attempts to understand the nature of the landed tenures of the island, which the Government itself had created. In their report to the Court of Directors, dated 21st July 1806, the Government use these words: 'We waited with anxiety for the ships from Europe, in the confident hope of the assistance of regular constituted law authority, without which it is impossible that the various claims of the Landholders, involved as they are in so many intricacies, can be considered and decided upon with that exactness and equity a subject of this nature so justly demands. In this expectation, however, we have been disappointed, and being of opinion, after the most mature consideration, that an interference on our part without such assistance might, notwithstanding every exertion to the contrary, only tend as the efforts of some of our predecessors, perhaps equally zealous in the case, to increase the difficulties of eventually making some general arrangements, we felt ourselves under the necessity of postponing any decision until the arrival of the expected legal authority or until the pleasure of your honorable court shall be made known in answer to this, our reference, on the subject.' If the Government of the presidency, even in those days, was unequal to its executive duties without the presence of a legal adviser, by what reasoning have the present subordinates of the Bengal Government arrived at the conclusion, that they are capable of discharging the highest judicial functions, when the inhabitants have now, for nearly half a century, been accustomed to the administration of English laws by English professional judges?

Your Lordship will now understand the circumstances in which the court of Judicature originated. Previous to the year 1801 all original jurisdiction, save over the European

inhabitants' had been committed to illiterate native merchants, ignorant of their respective national laws, corrupt and who were allowed to prosecute their trade with all the advantages conferred by their judicial position. The Superintendents had vainly endeavoured to adjudicate for the Europeans, who only acquiesced in their decisions when these appeared consistent with their own ideas of justice. In 1801 the Supreme Government, conceiving that the settlement had become so important from the number of its inhabitants—then not less than 10,000—as to require provision to be made for the administration of justice by a regular constituted tribunal, brought the subject to the notice of the Court of Directors. As a temporary remedy for the anarchy which prevailed in a place where a subordinate of the local Government, who had received no legal education, acted as Judge, Lord Wellesley sent an English lawyer of reputation to assume that office until the court should be established, but the native captains, as he complained, had far more ample jurisdiction than him self, and the Lieut.-Governor interfered with his independent discharge of the duties of his office. In 1805 the settlement was made a separate presidency and a Governor and Council sent out by the Court of Directors. This body, to whom the entire Government of the presidency had been committed, and who, it is to be presumed, were selected with some care in England, were utterly unable to administer justice, or even to understand so much of the laws of the land as might suffer for their own guidance in their executive duties. The whole population at this time did not exceed 15,000. In 1807 the court of Judicature of Prince of Wales' island, was established by Royal Charter, and, in the same year, Sir Edmund Stanley arrived in the Island as first Recorder, and the Court was immediately opened, as I shall have occasion in another letter, when drawing your Lordship's attention to the ILLEGALITY of the so called Courts, which have been for some time held at two of the Residencies in the settlement, to analyze the provisions of the Charter of which they are a violation. I shall merely in this place remark, that except in making the Governor and the three Councillors Judges of the Court, the Charter was admirably adapted, in its general provisions, for the then circumstances of the settlement. At the same time I should remark, it is quite clear that the Crown intended that the judicial power practically should be exercised by the Recorder alone, and that the Members of Government were united with him, not

for the purpose of interfering with his independent discharge of the duties of judge, but to provide for any emergency such as his sickness or death before a successor could arrive from Europe. The provisions of the Charter led to this conclusion, which is put beyond a doubt by the fact, shown by the records of the Court, that after the first fortnight the Governor and Councillors discontinued their attendance in Court, and the Recorder ever after continued to sit on the bench alone. For twenty years a succession of Recorders continued to administer English law to Pinang and Province Wellesley, to the entire satisfaction of the inhabitants, although often in opposition to the wishes of the Government. During this period the prosperity of the settlement had gone on increasing, and the population of 1826 amounted to above 55,000. In that year the new settlement of Singapore and the town and fort of Malacca, which had been subordinate Factories to the Bengal Presidency, and, as such, subject to the jurisdiction of the Supreme Court of Calcutta, were annexed to the settlement of Prince of Wales Island, and united with it into one presidency under one Government. A charter of Justice was at the same time granted by the crown, constituting the court of Judicature of Prince of Wales' Island, Singapore and Malacca. Unfortunately this charter was simply a copy of the previous charter, the provisions of which, however well adapted for Prince of Wales' Island, were totally inapplicable to the extended presidency, of which one part is six hundred miles distant from another. The Recorder's Court, which was found so efficient previous to 1826, when its jurisdiction was confined to Prince of Wales Island, has proved utterly inadequate to administer justice throughout the settlement. In fact the Charter has in practice wholly disregarded and three Courts have been generally sitting at the same time, one at Pinang held by the recorders, the only court sanctioned by the charter, another presided over by the Governor or Resident Councillor at Singapore, and a third held by the President Councillor at Malacca. During the absence of the Recorder on circuit, a fourth illegal court has been occasionally opened at Pinang, by the Resident Councillor.

I have the honor to be,

My Lord,

Your Lordship's most obedient servant,

EASTERN PEN.

Princes Wales' Island, March 1841.

Englishman May 30.

STRAITS' AFFAIRS.

No. III.

TO THE RIGHT HONORABLE THE EARL OF
AUCKLAND, GOVERNOR OF BENGAL.

My Lord,—In my last letter I imperfectly and very briefly reviewed the judicial history of this settlement, and I should now proceed to develop the actual condition of the legal establishments, and the amount of their efficiency for the administration of justice, but as the extent of the subject would too long delay me from the consideration of other topics which have calls on the immediate attention of Government, I shall pass at once to remark on the contemplated changes in our judicial system, leaving the full elucidation of the actual working to a series of letters in which I shall speedily direct your lordship's attention to legal reforms that may be beneficially and readily introduced.

It may be sufficient for the present to observe, that a court which was originally established for the administration of English law, to a recently formed community of about fifteen thousand individuals, who were congregated in one place, remains the only provision for the attainment of justice in a community of above one hundred and fifty thousand British subjects, of whom thirty thousand are engaged in a trade, of which the annual value is nearly two millions five hundred thousand pounds sterling, six hundred miles distant from the residence of the Recorder, and the principle station where the court is held.

Since the establishment of the court in 1807, a much more matured state of society has grown out of the crude and simple elements of the newly formed trading port, under the perpetual operation of English law. The number of permanent inhabitants born in the Straits now far exceeds that of the temporary sojourners. Every relation in society of which the law takes cognizance has been realized. Thousands of estates have been subjected to the operation of English law. The customs of trade, the habits of business of the native merchants, have been formed under the influence of that law.

The day has long gone by when the new code or codes of law desired by some of the Governors might have been beneficially introduced. I am far from differing with them when they insist that the laws of England have many imperfections, and that a system overspread with highly technical and artificial

rules, the repositories of which when brought out to Pinang, might have loaded an Indian, is still less adapted to the circumstances of a settlement in the Straits of Malacca than to the European state where it originated, and with the growth of which it was matured. On the contrary I say, that nothing would have been more desirable, with a view to the prosperity of the embryo settlement, than for the East India Company, before they took possession of Pinang, to have petitioned the King to appoint a commission of the ablest lawyers in England to review the whole body of the laws, to bring every principle and precedent to the test of the reason of the eighteenth and nineteenth centuries, to reconcile their manifold inconsistencies, to consign to the flames all that should be found obsolete, cumbersome, irrational or pernicious, and from the records of the wisdom and learning of so many centuries to expunge every rule tainted with the errors, the prejudices, the forgotten customs and opinions of their ancestors, to extract from what remained all the lessons of a long experience and deep deliberation with which, to the legislator, they are replete and then to frame an ample code of English law for the guidance of the Judges of Prince of Wales Island. Had this very rational course been taken by the East India Company, this code in all its beauty and perfection might at once have been proclaimed the law of the land, when the British flag was first planted on the desert shore of Pinang. Doubtless the East India Company had good reasons for anticipating an unfavourable reception to such a petition, and left the first English settlers to carry with them to the new colony the existing laws of the realm of England. Pinang is no longer the uninhabited island to which an experimental code might have been brought by its superintendent without endangering the rights of any person. The grand children and great grand children of the first colonists are now amongst its inhabitants. All the transactions of its traders, all the rights of its landholders, the creation, inheritance, transfer, and incumbrance of all the property that has been acquired by the industry of all its inhabitants, have for half a century been regulated and protected by English law. No alteration of any single rule of that law (not being a dead letter or nearly so) can be made without affecting the civil rights and relations of thousands, and a government that, with the best intentions, would destroy a single element of the present social condition—a single law declaratory of the present rights of person

and property—of an extensive community—without the most anxious consideration and careful provision for the consequences—without first consulting the experience of the community and obtaining the assent of the men of the best judgment and observation in it—would shew itself very little removed from a state of barbaric tyranny to which I believe no Asiatic nation would furnish a parallel, for Eastern despots may defy the laws to attain their ends, but they dare not altogether remove the ancient land marks.’

The local rulers of this settlement have always had so little conception of that sacred regard for the rights of individuals which is the grand characteristic of a Christian Government, and have so cherished a spirit of domination, that they have actually become blind to the true condition of the community that has been committed to their care, and have forgotten, if they ever knew, the purpose and the duties of their office. Are we stocks and stones that men who are ignorant of law, and who are liable to be, as they have often been, made the mere instruments of political injustice, should set themselves up to advise the Government of Great Britain to take away our judges from amongst us, and should presume to tell your Lordship that they themselves are qualified to undertake the administration of justice! If Mr. Bonham were to stand up in the British Parliament and move for leave to bring in a Bill for the abolition of the Court of Judicature of the Straits, the recall of Sir W. Norris, and for committing the administration of Justice within the settlement to himself, Mr. Church, Mr. Garling and Mr. Salmond, it is not impossible certainly that the bill might be smuggled through both houses. But if there should happen to be a member present who had heard of such places as Prince of Wales’ Island, Malacca and Singapore, and curious to know what they really were, should ask Mr. Bonham if there was any trade or cultivation carried on there or any inhabitants save savages and orangoutans, what would be the astonishment of the inquisitive member and of the thunder-struck house when they were informed the annual value of the trade of the settlement was above four millions of pounds sterling, and that the population exceeded one hundred and fifty thousand! An inquisition would be forthwith held by a commission probably composed of the Lord Chancellor, Lord Brougham, Lord Lyndhurst, and a few other learned senators on the legal qualifications of Messrs. Bonham, Church, Garling, and Salmond, who, I fear, would fly from the precincts of the house, take ship and hasten to hide their confusion in the obscurity of the Straits. Now, I would

simply ask these gentlemen, is it manly and just to make proposals on paper to the Indian Government affecting the welfare of the whole community which they would shrink from bringing to the light of Parliamentary investigation?

Pinang alone, forty years ago, when its inhabitants numbered only ten thousand, was thought worthy of an English judge. It is now deemed undeserving even of the third part of a Recorder. And yet its population has increased to nearly ninety thousand! (Of this number from twenty to thirty thousand are engaged in a trade of which the annual average value for the last ten years has been above one million two hundred thousand pounds sterling. The number of distinct landed states held by separate tenures is nearly ten thousand, and the amount of litigation, and the necessity for a competent Court of judicature, depend not upon the size, but upon the numbers of estate. When it is considered that the agriculture of the place has been all along intimately connected with the trade, and that real estates have been transferred from seller to purchaser almost like merchandize, so that a great number of landholders are connected with the original granters by piculs of deeds of lease and release, of bargain and sale, of mortgage, releases and decrees, of foreclosure, of Equities of redemption, Probates of Wills, Letters of Administration, Writs of Execution, &c., &c., when it is considered that the utmost uncertainty prevails regarding the extent of property represented by the titles which, owing to the unskillfulness and carelessness of native land surveyors employed by Government in few instances, corresponds with the grants, and that disputes concerning lands are daily becoming more frequent, and must go on increasing with the rising value of property, which every new plantation and every impetus given to planting, must accelerate; when it is considered that the peculiar custom of inheritance which has always prevailed in the Straits and has recently been made law, however just and simple in itself, would alone require a professional judge for its administration, since on the death of every landholder (save in the rare cases where provision is otherwise made by will) his real estate is divided amongst his next of kin, and occasion thereby given for interminable contentions; when it is considered that every question that can hereafter arise, regarding boundaries of lands and titles to real estates, must be determined according to the laws of England, which prevailed when the causes of the dispute arose—it will appear how impossible it now is to substitute any other

system of laws for those of the realm, and with what inextricable confusion and wide spread injustice and ruin any sudden and sweeping alteration of the existing laws would be fraught.

The four gentlemen who act as Collectors and Paymasters for this little appendage of the Bengal presidency, and whom your Lordship is pleased to dignify with the appellations of Governor and Councillors (the shadows of shades) do not appear to consider that, the inhabitants of their colony are not the only subjects of Her Majesty who groan under the infliction of English law and English professional Judges. It is so long since they left England in their boyhood that they have quite forgotten the millions there who are subject to the same law with all its technicalities, expense and delay so greatly aggravated that the procedure of the Straits Court is comparatively simple and rapid. They forget that this sentiment is not singular amongst the colonies of the empire in the nature of its laws and judicature, for in all parts of the world—in North America, the West Indies, the Mediterranean, in Africa, the East Indies and in New South Wales, British Colonies may be found, having together little short of two millions of inhabitants to whom the laws of England are administered by more than fifty judges, most of them professional. Can it be that the so called Governor and Councillors of the Straits have been so puffed up with the pride of their judicial office, as to imagine that the British Legislature is less intimately acquainted with the imperfections of the laws than they are? Have they really brought themselves to believe that the Law Commissioners, in introducing changes gradually and cautiously make confession of their ignorance of the extent of legal reform that is required? The British Parliament shrink even from repealing the usury laws until they have first carefully experimented by a partial and temporary trial of the operation of the new law; but as "fools rush in where angels fear to tread," so Mr. Bonham, with characteristic precipitancy, would at once repeal the whole common and statute law of the realm, or so modify it as to adapt it to the capacity of judges who are not lawyers.

The laws of England, with all their imperfections, as well as all their just and admirable provisions being the laws of Pinang, as much as they are the laws of Middlesex, and having been administered for the last forty years by learned English lawyers, no man can be a judge in this island, who is not an English barrister of experience, without

subjecting the property and rights of the ninety thousand individuals who compose the community to the daily hazard of judicial robbery. For to force me to subject all my rights of person and property, as declared by English law, to the power of a man who is ignorant of that law, but is, nevertheless, armed by the crown with absolute power to execute any illegal order, he may choose to make concerning them, is, in other words, to impose upon me the rule of a tyrant who acts according to his own ideas of what is right for him to do, and not according to fixed law and custom.

Singapore and Malacca, which have only since 1826 been united with Pinang under the new character of justice, have been less fortunate than this Island in their judges. The Recorders have indeed visited them regularly on circuit twice or three in the year and in general the most intricate cases have been reserved for their decision, but, in defiance of the charter and, I believe, in opposition to the opinions and wishes of the Recorders, the Governors and Resident Councillors have persisted in holding Courts at these stations, while the Court of Judicature is actually sitting at Pinang! Who shall say how many dicta which were not law, have fallen from the benches of the Singapore and Malacca Courts, when the Judges themselves declare that they do not decide by law but by equity, (!) and that they are not lawyers? Who shall say how many illegal acts have been committed by these unlearned judges, or how many false impressions of what their legal rights are, have been carried away by suitors from the Courts over which they presided.

The case, my Lord, stands simply thus. These men, with educations, as your Lordship knows, much inferior to what the Civilians of India receive, acquainted with no body of laws that is administered in any country, guiltless even of having ever familiarized their mind with a system of ethics, the principles of which in their executive duties they are obliged to disregard, are suddenly elevated to the Bench, and required by the charter to administer justice as it is administered in all the High Courts in England. Now, my Lord, the charter may tell them, as it does, that they have the same jurisdiction and authority within the Eastern settlements, as the Courts of King's Bench, and the Justices thereof, and the High Court of Chancery, and the Courts of Common Pleas and Exchequer; and the several Judges, Justices and Barons thereof, have in England; but can the charter at once, as by a

miracle, irradiate their minds with a knowledge of that jurisdiction and authority which, by a legal fiction, they exercise? "The charter may make us judges," said governor Fullerton, "but it cannot teach us law." Had the charter made it incumbent on them before venturing to exercise any of the powers of the judicial office, to make themselves acquainted with the nature of the jurisdiction and authority vested in all the English Courts enumerated, of which the laws of England are in every case the measure, they might have obeyed its injunctions. The truth is, his majesty never meant to delegate judicial power to them save as a provision for emergencies, and in constantly holding Courts they do that for which they have neither warrant nor competency.

Some Governor or Resident Councillor, who has never opened a law book in his life, is raised to the Bench, and called upon to decide a case according to English law. Having noted the evidence as well as he can (and doubtless he makes a sad jumble of it) he retires to his library, which consists of a few Elementary Treatises, and a stray volume or two of reports. After reading diligently for some time, and perhaps even thinking that he understands a portion of what he reads, he stumbles upon some principle that seems applicable to the case, but quite overturns his preconceived ideas of what the law ought to be. Presently he meets with some other principle which seems to be inconsistent with the one that first arrested his attention. Hoping to have it more fully elucidated and his difficulty removed, he refers to some of the cases cited. He reads the arguments for the plaintiff, and is in a happy state of conviction. He reads those on the other side and is left uneasy and perplexed. He reads the judgment but the nice balancing of facts and probabilities, the quick discernment of varied circumstances, give a new colour to the case, and taking it out of the operation of precedents that were relied on as applicable, the silent assumption of well established principles, the giant grasp of complex and numerous facts and precedents, the deep and delicate reasoning are entirely beyond his comprehension and to his untutored mind the conclusion seems to be arrived at by a kind of learned jugglery. Follow him again to the bench and hear him painfully straining to give a reason for his judgment—a dash of law that may impose upon the Malays and Kings, and even pass with them for something very profound, and then your lordship will have no difficulty in understanding why some persons so anxiously wish to shake off

the-trammels of English law and free themselves from the restraint of a Recorder. They think that no other law can be so complex, so hard to be understood, and so impossible to be applied as that of England—they are sure they would be qualified to administer any other. At all events if they were once quit of the Recorder, there would be nobody to tell them when they were wrong. And so, after wearing out their undisciplined faculties in laborious and useless efforts to master an unusually intricate case, until obliged to throw it aside in despair, they naturally rush from their law library to the government office, where they feel more at home and write a letter to your lordship full of zeal for the public interests, and of which the absurdities and profundities of English law, its unfitness for the circumstances of the settlement, the expense of keeping up the Court, the amount of the Recorder's salary, &c., &c. form the burden.

I have the honor to be, my lord,

Your Lordship's obdt. servt.,

EASTERN PEN.

Prince of Wales' Island, April, 1841.

[*Englishman*, June 3.

NO IV.

My Lord,—I cannot conceive that your Lordship would for a moment countenance the mad schemes of the Straits' functionaries, unless they had contrived to substitute some distorted view of the condition of this settlement for the reality. Sure I am, were your Lordship, instead of receiving whatever impressions your Lordship's subordinates here (who are certainly not qualified to be the advisers of the legislature of the country) may choose to convey by their letters, to visit these settlements accompanied by counsellors experienced in jurisprudence, and from a judgment, after a patient examination, of the actual circumstances of the settlement, and extensive and minute enquiries wherever information could be obtained; after searching the Records of the Court of Judicature, and holding frequent conferences with the Recorder, the Registrar of the Court, the most intelligent inhabitants of every class,—doubtless your Lordship would discover many things loudly calling for reformation; but at every step new reasons would be suggested for respecting the laws of the land, the shrine of all the civil rights of a hundred and fifty thousand British subjects.

The Residents are desirous that all local power, judicial as well as executive, should be united in their persons. They have seized as much of the former as they can, without drawing the attention of the crown to their proceedings. Their next step is surrounded with difficulties and dangers. How is the professional Judge to be removed? if the proposal were made to the ministry not to appoint a successor to the Recorder, enquiries would be immediately raised, and it would be impossible to conceal the fact that the residents had been in the habit of holding courts of their own, where they adjudicated all descriptions of cases, and even sat as criminal Judges, and condemned men to death! The consequences to themselves of a discovery by the ministers of this daring and illgal assumption of power, must deter them from proceedings that could not fail to lead to it. A safer and a more promising course is to persuade the Indian Government that English law is too refined, complex, technical, and ponderous for the attainment of justice in these settlements, and ought, therefore, to be abrogated; and a simpler system, level with their capacities, to be substituted. After recommending this change they boldly assert the office of recorder to be an incumbrance, and, doubtless, in the economical spirit of the times, reckon on finding a powerful advocate with your Lordship.

Now, in supposing that any other code of laws can be substituted for the laws of England such as any man of common education (that is, of very superficial education) like themselves may administer, the Straits' civilians only prove their ignorance of all systems of law; for there never yet was a body of jurisprudence worthy of being adopted by a civilized Government as an instrument for extending justice to any Province subject to its rule, that was not the fabrication of the learning and experience of ages, and had not become more refined and ample in its principles and provisions as men grew less willing to submit their civil rights to the arbitrary decision of unlearned men; and no code of law ever will be made so simple as to dispense with a legal profession, and with Judges selected from it.

I have endeavoured in vain to ascertain what laws are intended to take the place of the laws of the realm, and, indeed, have reason to believe that the public officers here, with all their anxiety and all their leisure for many years past, are still unprepared to recommend any particular system. In truth, my Lord, they find that something beyond the knowledge and experience acquired in

corresponding with the Bengal Government on petty matters of expenditure, in sitting as Police Magistrates, and in directing the operations of their naval force, consisting of a small steamer and a few gun boats against Malay pirates and Malay Princes; something even beyond the occasional glimpses of law which flit across their mental vision in the Court of Judicature, is required for men who would immortalize their names by framing a code of law which should contain all the wisdom and none of the folly of the Laws of England. A man of perhaps equal capacity with Mr. Fullerton, Mr. Bonham, or any other of the ablest of those who have advised the substitution of the new uncreated system, and who had at least this one advantage over them, that he knew what he wrote about, has said that the science of legislation is the noblest and most difficult of any. Without pointing to any parallel between Judge Blackstone and the professional Judges who have visited the Straits, their opinions also are entitled to some weight for a similar reason, and they have all agreed that no other laws can be put in the place of those of the settlement with advantage, that a gradual and cautious reform of the existing laws is all that the legislature is called upon to introduce, and that the sooner the Residents are deprived of all judicial power, the better for the ends of justice, which are endangered every time they ascend the bench.

If, however, I may be allowed to draw an inference from their most frequently urged objection to the laws of England—the injustice of subjecting the whole community to the national law of the least numerous class in it, I must assume that they wish every class to have their peculiar law administered to them, or to substitute for the national laws of the smallest class the national laws of the largest.

I am not aware that any class, save the more strict Mahomedans (a very small portion, indeed, of the Mahomedan community of the Straits) have ever complained of the injustice of being subjected to the laws of England, and from frequent conferences on the subject with the most intelligent and respectable Arabs and Indian Mahomedans, I am enabled to inform your Lordship that the general principles of our laws, and the judicial conduct of our professional Judges, meet with their warmest admiration, although it is true that many of our positive laws which, not being founded on general reasons, must be the subjects of arbitrary regulation, are highly objectionable to them, such as the statute of distribution, which in cases of Mahomedans dying intestate prevents the division of their estate according to the rules sanctioned by their

religion. But the great mass of Mahomedans are very ignorant of their own religious laws, and the other classes of inhabitants, see nothing in the system of administering justice in Pinang, compared with what prevails in their own countries, that does not fill them with respect and admiration. It must be remembered, too, that English law has not been forced upon a conquered country, but that every native settler comes to an English colony, where he finds the laws of England prevailing. The fact that above a fourth of the whole population of the Malayan Peninsula are now fixed residents in a small Island and narrow strip of coast, which 60 years ago was an uninhabited jungle, is surely evidence that the British have not brought with them a system of laws which the indigenous population of the Malayan countries have felt to be unjust.

There is one grand objection to the introduction of any native court of justice. It is suggested by a principle which I am sure must have frequently occurred to your lordship in India. The pure administration of the law is of more consequence than the perfection of the law itself. Greater facilities exist for ensuring the independent and upright discharge of the duties of Judge in an English court, than in any court that should administer Mahomedan, Hindoo or Chinese law or the law of any other class of residents in the Straits. English barristers of integrity and learning will always be found, who are willing to undertake the duties of Judges in the court of Judicature of the Straits for half the salary that is secured to the Recorder by the charter, while honest and competent administrators of any Asiatic system of laws could not be obtained.

And even supposing that learned and honourable Asiatic Judges could always be procured, what would become of the vaunted economy of the change? If high salaries are deemed essential to secure the integrity of English Judges, can they be dispensed with when we come to employ natives? An English Judge would still be required for the European inhabitants, and unless they are to be placed beyond the protection of law altogether, that Judge must understand the law, in other words must be a professional man—so that to the expense of an English court there would be added the enormous cost of maintaining Chinese, Hindoo, Malay, Bugis, Javanese, Balinese, Arab, Parsee, Siamese, Burmese, Armenian, Portuguese, French, Dutch, Batta and Caffre Courts of Judicature.

But if the laws of England are to be discarded, and a single Asiatic system to be substituted,

how is the selection to be made amongst the numerous classes who would then be rivals for judicial supremacy? The most numerous class are the Malays. But they knew little about Mahomedan laws and the barbarous and long standing or written rules and customs of one tribe differ from those of another. The Malacca Malays have different regulations from the Quedah Malays. So that not only would the rest of the community be justly offended by the imposition of a body of rules, the most childish and absurd, as the general law of the settlement, but the jealousies of one tribe of Malays would be excited against another. But if superiority of numbers be abandoned as the rule of selection, and wealth and respectability be substituted, the Chinese have the strongest claims.

Some years ago a difficulty was experienced in procuring a competent Chinese Interpreter for the Court of Judicature. The Governor, Mr. Fullerton, wrote to the select committee at Canton. They applied to Dr. Morrison, and in their letter to the Straits Government enclosed Dr. Morrison's remarks, which, with the opinion of the committee, convinced the Government that they could not obtain Interpreters from China. The universal venality and mendacity of the Chinese were chiefly insisted on by the committee and Dr. Morrison, as objections to the employment of any native of China 'in the highly responsible office of Interpreter.' But without dwelling on the impossibility of procuring an incorruptible Chinese Judge, it may be sufficient to observe that no Chinese of learning and respectability who was employed as a Judge or was an aspirant to the office, would leave China to preside in the Court of a small Island belonging to one tribe of outside barbarians and inhabited by more than a dozen other tribes still more barbarous.

If the laws of China are to be introduced they must be first studied by Europeans, and I fear even the Straits Bench, with its present pecuniary attractions, would not be temptation enough for any European to make himself a proficient in the language and the laws of China. To judge from the purely scholastic character of Chinese learning, the probability is that their laws are more technical and cumbersome than those of England.

But it is needless further to pursue an argument which in every direction is a *reductio ad absurdum*.

The laws of the English realm must be administered, not only because they are the laws of the settlement, but because every other

system, for the introduction of which any reason could be given, is too simple and barbarous, as the Malay, or is still more technical complex, and uncertain than that of England, and has not one tittle of its reason and justice, as the Hindoo, Mahomedan or Chinese.

I have the honor to be, my Lord,
your Lordship's most obdt. servt.,

EASTERN PEN.

Prince of Wales' Island, April 1841.

Englishman, June 7.

No V.

My Lord,—The question naturally occurs, how came it to pass that the assent of the crown ever was obtained to a judicial system so absurd as that prevailing in fact within this settlement? In every other British colony, even where the number of inhabitants and amount of trade is greatly inferior to what is possessed by the Straits, the most ample provision has been made for the administration of justice. Many colonies of less importance have three professional Judges; what induced the crown in this solitary instance to commit the distribution of justice to one hundred and fifty thousand British subjects to men ignorant of the first principles of any law and dependents on the favour of their employers, the East India Company?

My Lord, I now request your Lordship's most attentive perusal of the Charter constituting the Courts of the settlement, and if your Lordship will bear in mind certain facts in the history of the settlement, which I have already mentioned, I am confident that your Lordship will arrive at no other conclusion than that the crown has not delegated, nor ever intended to delegate, any power to the Governor or the Residents constantly to hold courts while a Recorder is in the settlement.

Your Lordship will remember that when Lord Wellesley, in 1801 directed his attention to the provisions for the distribution of justice then existing in Prince of Wales' Island, and reported to the Court of Directors that the judicial duties of the island had become 'laborious and important,' and that a regularly constituted tribunal was required, the population of Pinang did not exceed ten thousand. The local limits of the jurisdiction of the Court of judicature established by the Letters Patent of his Majesty King George the Third, dated 26th March, 1807, embraced Pinang, an island having an area of about

180 square miles, Province Wellesley, a narrow strip of the adjoining coast of the peninsula, containing perhaps 140 square miles, and then having a population of about 2000, and the busy channel that separates them dotted with a few little islets. Within these limits the amount of population at the date of the charter did not exceed fifteen thousand. At that period the abandonment of Malacca engaged the attention of Government, and the acquisition of territories in the Straits at a distance from Pinang was not contemplated.

The charter ordained that the Court of Judicature should consist of, and be holden before, the Governor or President and the three counsellors of the Factory for the time being, as four of the Judges of the court, and before one other judge who should be called the Recorder of Prince of Wales' Island, and who should be a barrister in England or Ireland, of not less than five years' standing, to be named by the crown by Letters Patent under the great seal, (vide charter pp 4. 5.)

It was further ordered that all Judges, &c., and acts of authority or power whatsoever to be made or done by the court of Judicature of Prince of Wales' Island be made or done by and with the concurrence of the Judges of the Court, or so many or such one of them as should be on such occasion respectively assembled or sitting as a court, or of the major part of them so assembled or sitting, except in the case of adjournment (charter p 6.)

The next clause provided that in case at any time there should be more than one of the said Judges present and sitting as a court, the Recorder, if he should be present, should vote on every question to be decided before the other Judges present, and that in case the Judges present at any time should consist of an even number, and should be divided in their opinions, the Recorder, if present, should have a double or casting vote.

As the question of the legality of the Resident's Courts depends upon the construction that may be given to the next clause, I shall give it verbatim.

'Provided also, and we further will and direct, that no court shall be holden, and that no act shall be done by the said court, without the presence of the Recorder of Prince of Wales' Island* for the time being if he shall be resident within the said Factory,† or the places

* Prince of Wales' Island, Singapore and Malacca, New Charter.

† Settlement, N. C.

now or at any time hereafter to be subordinate or annexed thereto, unless the Governor or President of the said Factory,† or the counsellor acting as such shall authorize the court to sit and act in the absence of the Recorder, and in such case we direct that the granting of such authority shall be noticed; and re-recorded on the proceedings of the said court. But in all cases of the absence of the Recorder from the said Court, and in case of vacancy of the office of Recorder, we declare that it shall be lawful for the Governor or President of the said Factory, or the counsellor acting as such, to adjourn the Trial, Hearing, or Decision of any cause, or any matter to be considered or done by the said court, from time to time, as he shall see fit, until the said office of Recorder shall be full, and the Recorder shall be present; (old charter p. 7, New Charter p. 13.)

It is quite clear that it was the Royal intention that the judicial power practically should reside in the Recorder. He was selected in England by the crown from the profession, and sent to Pinang for the sole purpose of transacting the judicial business of the Factory. And the members of the Government were associated with him, not that by virtue of their numbers, they might on any occasion nullify the whole design of sending an experienced English lawyer to sit as Judge, but to provide for emergencies likely to happen in a remote settlement, where, in case of the sickness or sudden death of a Recorder, no competent successor could immediately be found. It never could be intended to give to unprofessional men, dependent on the East India Company, daily engaged in their own proper executive duties, and liable to sue and to be sued in the Court as representatives of the East India Company, the power of sitting in that Court, and recording judgments in opposition to the will of the Recorder. Still less could it be designed to enable the Governor, whenever the concurrence of the Recorder in an intended decision of the members of Government was doubtful, to convene the court without giving him notice, and so attain their ends in his absence. Nor could it have been intended that in any case, unless, delay was dangerous to the interests of a suitor, the Governor and Counsellors, who perhaps had not a single law-book in their possession, should proceed to adjudicate even during the unavoidable absence of the Recorder. Otherwise why should they have been empowered to adjourn the trial of any cause until the Recorder should be present? A conclusive proof of the correctness of the view which I have taken of the constitution

of the court, is afforded in its records, by which it appears that for a few days after the first opening of the Court, the Counsellors in rotation sat with the Recorder, probably in order to learn the method of procedure, or to advise the Recorder in matters of native character and customs; but that ever after the Recorder alone sat and acted as the Court.

But this has little to do with the main practical question, which urges itself upon the serious and immediate consideration of your Lordship. Is the clause, which I have above cited at length, sufficient to legalise the courts which the Residents are in the habit of holding at their respective stations while the Recorder is holding 'the Court of Judicature' elsewhere?

The Charter of the present Court is a verbatim copy of the charter of the Pinang Court. The first charter was framed with a great deal of care, and with an especial reference to the circumstances of Pinang in 1807. The new Charter was granted in 1824, without any provision being made for the altered condition of the settlement. In fact, it does not appear to have been considered for a moment that the slightest alteration in the constitution of the court was required to adapt it for its extended Jurisdiction.

No doubt the East India Company represented to the Ministers of the crown that the old court would do very well, and that it was only necessary to exchange its name, by adding "Singapore and Malacca" to "Prince of Wales' Island." A new preamble and the old charter were probably put into the hands of a clerk to be engrossed, the Privy seal was affixed, and the new court was established. Therefore, in constructing the present charter with reference to the intention of the framers, we are warranted in treating it as substantially the same as the previous charter. Now as there could have been no occasion at any time for holding two or three separate courts in Prince of Wales' Island, we must presume that no clause in the Charter was introduced as a provision for, or with any view to, the sitting of more than one Tribunal at the same time. And when we find that in fact neither during the time of Sir Edmond Stanley, who, in 1807, brought out the Charter, and who must have known the intention of its framers, nor during the time of any subsequent Recorder up to the year 1826, more than one Court in one place was ever convened; that presumption grows into absolute certainty. The only question, therefore, is how far it was competent for the Governors, when they found that more than one Court was necessary for the Administration of Justice throughout

† 'Settlement,' N. C.

out the intended settlement, to disregard the plain intention of the charter, and force a clause to bear a construction which is absurd in itself, and still more absurd and at the same time dangerous in its consequences, and which was not within the meaning of the Royal grant?

It is under the clause already cited from p. 7 of the old charter, and repeated verbatim at p. 13 of the new charter, that the Governors assume the power of authorizing the court to be held by the Resident Councillors at their respective stations during the absence of the Recorder at another station. In the writing under the hand of the Governor, deposited in Court and recording the granting of such authority, this clause is expressly cited as his warrant.

Now in this clause I can find nothing that authorizes more than one Court to be held within the settlement at the same time. No mention is any where made in the Charter, of any other Court than 'the Court of Judicature of Prince of Wales' Island, Singapore and Malacca.' There is one Registrar to record its proceedings, one seal to authenticate the writs issuing out of it—and one Sheriff to execute these writs. Throughout this clause, only one Court—the said Court—is mentioned, contains a provision that no act shall be done by the said Court, without the presence of the Recorder, if he shall be resident within the settlement. A most just and necessary provision! for if the Court might be constantly held by the members of Government, who knew not the laws to be administered, without his presence, there would have been no reason or object in sending out a Recorder. But as the Recorder may happen to become seriously indisposed, and unable to attend the Court, and may die, and the settlement remain for many months without a professional Judge, this provision unqualified might in some rare cases have been productive of serious inconvenience to the settlement. To provide, therefore, for such judicial acts as cannot be postponed without injury to citizens, the crown was obliged to give its sanction to a necessary evil that greater evils might be prevented. The King was obliged to commit a temporary judicial power to the Government in the absence of professional men who might have taken the place of the Recorder. His Majesty empowered the Governor or President of the settlement, or the Councillors acting as such, to authorize any Court to sit and act in the absence of the Recorder. But no provision against the Governor exercising such power in cases where the Recorder might have been present, he was directed to notice and record

the granting of such authority in the proceedings of the Court, and that in no case the Court sitting in the absence of a Recorder should exercise more judicial power than could and be avoided, the Governor was empowered to adjourn the trial, bearing no decision of any cause or any matter to be considered or done by the said Court from time to time as he should see fit, and the office of Recorder should be full, and the Recorder should be present.

This clause, therefore, merely makes it lawful for the Governor to authorize the Court of Judicature to sit and act in the absence of the Recorder from this said Court. If the Recorder be present in the Court, the Governor has no power arbitrarily to authorize the Court to remove from the place where the Recorder is sitting, to produce in this sense the absence of the Recorder, and dispense with him as one of the Judges. But if the Recorder is actually present in the Court and doing the judicial duties thereof, how can the Governor, under a provision for the absence of the Recorder from the Court, assume the power of authorizing two other Courts to sit at the same time at different places?

My Lord, this is a matter of such serious concern, that I will humbly suggest to your Lordship the propriety of submitting a copy of the Charter of the Court of Judicature for the opinion of the legal advisers of Government. Ask Sir Edward Ryan if, under his Charter, it be lawful for the Supreme Court to sit at the same moment triplicate? While Sir Edward sits and acts as 'the Supreme Court' in the Court House, can Sir J. P. Grant at the same hour sit and act as the Supreme Court exercising all the powers thereof in all its jurisdictions, legal, equitable, criminal, constitutional, and maritime in Tank-aquore; and Sir H. W. Seven sit and act as 'the Supreme Court' in the Dhurran-tolla? What, my Lord, would be said in England, were it known that within the local limits of the jurisdiction of the Court of Judicature of Prince of Wales' Island, Singapore and Malacca, at the hour of 12 o'clock on any given day, three Courts sat each assuming to itself the appellation, and exercising all the powers of that single Court?

At Singapore and Malacca all the year round Courts are sitting, upon which a perfect light of law is at rare intervals thrown by the presence of the Recorder, who comes to legalize their existence for a few brief days, leaving the legality and the law of the Court of Pinang to be eclipsed for a season.

It is no defence of the assumption of a judicial power not emanating from the sovereign, to say that the Recorder cannot be present at all the three stations so often and for so long a time as would be necessary for the efficient administration of justice. It is the duty of the Recorder in such circumstances to be doubly zealous, active and laborious, and of the local Government not to assert a power beyond the law, but to provide a remedy in the only constitutional manner, by representing the state of the settlement to higher authority, and urging the immediate necessity of the appointment of an additional Recorder for the ends of justice.

I might have noticed other provisions in the Charter confirmatory of the unity of the Court, of His Majesty's will that the business of the Court should devolve on the Recorder alone.

Thus at p. 15 the Court is empowered to appoint 'one person resident within the settlement', to be and be called 'the Registrar of the Court of Judicature of Prince of Wales' Island, Singapore and Malacca,' who by himself or his Clerk or Clerks, to be appointed and paid by him, and for whose conduct he shall be responsible, shall make out and issue all the process of the said Court, and enter up the records and register the proceedings thereof, &c.'

Now in reality, if not in name, there are three Registrars at this moment, one who resides constantly at Pinang, another at Malacca, and a third at Singapore. The title attaches to the Registrar at Pinang, but he is prohibited from going to Singapore and Malacca. His whole duty in practice being to act as Registrar at Penang. And yet if the courts held at Singapore and Malacca by the Residents can be called 'the Court of Judicature', he is responsible for the correctness of every writ issued and every record entered up at these stations as much as if his own hand had written them!

Thus again at p. 20 all writs, summonses, precepts, rules, orders and other mandatory processes, issued by the court, are required to be signed by the said Recorder or by the Registrar of the said court, whose duty it shall be to prepare and make out the same.

If the Recorder and Registrar be for the greater part of the year resident at Penang, how can either of them sign the process that is daily issued by the Residents at Singapore and Malacca? Is this single provision not conclusive as to unity of the court?

Thus again at pages 27 and 28, which prescribe the method of commencing and prosecuting civil suits, and of proceeding in all

cases in which any order of the court shall be necessary, it is ordained that the Recorder of the said Court of judicature, &c., or the Registrar of the said court, or the clerk of such Registrar by his direction, shall reduce the substance of any complaint which may have been preferred to the court, if verbal, into writing; or if it shall be preferred in writing, he shall divest it of all extraneous matter, and set down the substance thereof in a writing to be drawn up, if it shall require to be redrawn, &c.

In this clause the Recorder is regarded as the judge by whom civil business of the court is to be conducted.

If the Recorder and Registrar reside in Prince of Wales' Island, how can any civil suit or proceeding whatever be instituted before the residents at Malacca and Singapore? If they assume or are required by the Governor to assume, a power of taking the place of the Recorder and Registrar, for the purpose of complying with the ordination in this clause, is not such act of assumption manifestly illegal? And if, by the charter, civil suits can only be commenced where the Recorder and the Registrar are residing, is not any court held elsewhere and without their presence, for the purpose of hearing and determining all matters whatever not entitled to be called 'the court of Judicature,' of the settlement, and the establishing by the Governor of another court within the jurisdiction which the crown has given to the Court of Judicature alone?

Thus again, at p. 33, a provision is contained, rendering it lawful for the Judges out of court and in vacation to make such orders, and do such acts as are usually done in England by Judges of the high court, subject to the review of the Court. But—Provided always, and we hereby further declare, that except in the case of vacancy of the office of Recorder of Prince of Wales' Island, Singapore and Malacca, or in case of the absence of the said Recorder from the said settlement, or in case, by reason of sickness or other misfortune, the said Recorder be incapable of attending to business, that other of the Judges of the said Court shall be competent to make any order or do any act out of Court, in any civil matter, suit, or concern, unless the Recorder shall be previously summoned to meet the Judge about to make such order, or do such act in order to assist him with his opinion thereon. Provided always, and we hereby further declare, that no writ of, or in the nature of a writ, of Habeas Corpus or Subjundum, shall be returnable in vacation time or during any adjournment of the said Court before any of the

Judges of the said Court, other than THE RECORDER, &c.

Can any thing more plainly declare the nature of the office of the Recorder? Every Act of the Court, or of the Judges out of Court, must be according to law. As the members of government cannot of themselves act according to law, since they are ignorant of the law, it is provided that they shall not do any Acts as a Court or as Judges in chambers, without THE RECORDER being present to instruct them in the law, and prescribe the acts or orders to be done or made. It is only as a necessary evil that the members of Government, in the absence of the Recorder from the settlement, or when he is unable to attend to business, are permitted to take upon themselves the responsibility of acting in Court or out of Court. And on such occasions a plain intimation is conveyed by the clause a ready cited from, p. 13, that they are to be very sparing of the assumption of judicial authority and postpone every matter that can be postponed with due regard to the interests of suitors until THE RECORDER is present.

A very important provision in reference to the illegality of more than one Court, is contained in p. 34 and 55.

'And we do hereby further authorize and empower the said Court of Judicature to appoint, and from time to time, as occasion shall require, to vary the place or places where, and the periods at and during which the said Court, and any Courts* hereby authorized to be established, shall sit and hold Sessions for the dispatch of business, and that subject to any general rules.'

'Provided always, and we hereby declare, that it shall be lawful at all times in vacation or during any adjournment of the said Court of Judicature of prince of Wales' Island, Singapore, and Malacca, to and for the Governor or President of the said settlement, or in his absence to and for the resident Counsellor at any of the said stations, of his own authority, to convene, or cause to be convened, a special Court, and to adjourn, or cause such special Court to be adjourned, from time to time, and from place to place, as he shall see fit.'

The first of the above clauses authorizes the Court to appoint terms for its sitting, and to adjourn from place to place. It is under this clause that the Recorder is authorized to adjourn the Court from Pinang to Malacca, and from there to Singapore, &c.

* Courts of Requests, &c.

The second clause authorizes the Governor, or, in his absence, the Resident Counsellor at any of the stations, to convene a special Court at all times in vacation, or during any adjournment of the Court.'

If the Recorder is sitting and noting as the Court of Judicature at any station, no special court can be convened. In fact this special court is only the court of Judicature specially convened.

In concluding this letter I need not say, what the plan, when it appears, will suggest, that it has been written with no desire to attack the constituted tribunals of justice, or to weaken the authority with the community of those courts, which, in fact exist perhaps as an evil that is meanwhile hardly avoidable, but certainly without the sanction of the crown. Had I not anxiously wished to avoid the discussion of this subject within the Eastern settlements, until it shall be no longer dangerous, I should before now have drawn the attention of the community here to the anomalous state of the court of Judicature. I have awaited in the hope that the representations of Mr. Commissioner Young, who could not have overlooked the fact that the Recorder was unable to administer justice at all the stations, would ere now have led to the appointment of an additional professional judge for Singapore and Malacca. But since it is contemplated to deprive the community of the only Judge in whose charge their lives, liberties and civil rights are safe, and to consign them to the power of a Court composed altogether of men who are ignorant of the laws, should not have been justified in longer concealing the convictions which I have in this letter expressed.

I have the honor to be, my Lord,

Your Lordship's most obdt. servt.

EASTMAN PEN.

Prince of Wales' Island, April, 1841.

Englishman, June 10]

My Lord,—If I have failed to produce a conviction in your Lordship's mind, that it would be inexpedient, arbitrary, and highly dangerous to abrogate the existing laws of the Eastern settlements, I can only lament the extent of your Lordship's ignorance of the condition of this dependency, and, in the name of the whole community, most earnestly exhort that before giving a final sanction to a measure in which the entire rights of every individual are so deeply concerned, your Lordship will appoint a commission of three

of the ablest lawyers to be found in India, to visit this settlement, and make the most minute and extensive researches regarding the actual operation of the laws of England as administered by the Court of Judicature for the last forty years,—to invite the best informed Europeans, and men of the soundest judgment in every class, to contribute the fruits of their experience, and then to report to your Lordship whether an entire abrogation of the present laws would be consistent with any regard to justice, or whether a gradual amendment of the laws of England, in the benefit of which the Indian Courts might share, and some particular provisions the better to reconcile our laws to the religious opinions and ordinances of some classes of natives in this settlement, would not rather be the duty of a wise and paternal Government? I am not ignorant that Mr. Commissioner Young did not confine his observations to the ostensible purposes of his Mission; but the variety of subjects which engaged his attention was too great to enable him to make a complete report upon any one of them. And a commissioner may be an excellent man of business, and yet be deficient in that training and experience which qualifies a man to be a good judge of the working of a Court of Judicature. He who would trace the operation of the laws of England in this settlement in a comprehensive and satisfactory manner, has a task much more difficult than that of the Law Commissioners in England. The least of the acquirements which the Commissioner must bring to his office, is a sound knowledge of the laws of England; for to attempt to investigate the operation of laws of which he is ignorant, would be the highest absurdity. But in addition to the ordinary qualifications that constitute a sound English lawyer, the Law Commissioner of the Straits must be deeply versed in the principles of general jurisprudence, and in the philosophy of law, which is the foundation of scientific legislation. And to all his legal lore he must add an intimate acquaintance with the national laws, habits, religious and feelings of the various classes of natives, who are congregated in the Straits. Unless it be deemed that this settlement has less claims on the justice and care of Government, than any given portion of India containing an equal amount of population engaged in a business of the same extent, it must be conceded that no man whose capacity an acquirement did not fit him for amalgamating all the systems of law known in India, and framing one great code for the India dominions of Great Britain, would be competent to undertake the task of superadding the existing laws of this settlement, by

a perfect code, adapted in every respect to the condition of its various population.

Unless your Lordship can send Commissioners, so qualified for their duty, to the Straits, I do not longer entertain the project of removing the laws of the land.

And until English laws give place to a more perfect system, English lawyers must occupy the office of Judges versed in the provisions of that better code.

I have, in a previous letter, said, that the Residents at all the stations in this settlement, preside in Courts unassisted by the advice of the Recorder, and adjudicating cases of all descriptions. I have mentioned that even criminal courts have been held by Mr. Bonham, wherein he condemned men to death, while the Recorder was sitting in 'the Court of Judicature' at another part of the settlement. I have endeavoured to point out how unauthorized, absurd, unconstitutional and full of danger to the community these Governor and Resident's Courts must be! A passage in Blackstone occurs to me, and I would recommend it to the serious consideration of your Lordship, and lest your Lordship should not have a copy of the commentaries, or should omit to refer to this passage, I shall here quote it.

"Should a Judge, in the most subordinate jurisdiction, be deficient in the knowledge of the law, it would reflect infinite contempt upon himself, and disgrace upon those who employ him. And yet the consequence of his ignorance is comparatively very trifling and small; his judgment may be examined other courts. But how much more serious and affecting is the cause of a superior Judge [in which position Mr. Bonham places himself and his subordinates Mr. Church, Mr. Gairling and Mr. Salmond] if without any skill in the laws he will boldly venture to decide a question upon which the welfare and subsistence of whole families may depend! where the chance of his judging right or wrong is barely equal; and where if he chances to judge wrong, he does an injury of the most alarming nature, an injury without possibility of redress! and how much more alarming is the injury when a man ignorant of law sits as sole Judge in the highest criminal court—a court of his own establishment—and wills away the liberties and the lives of the liages! Where is the possibility of redress when a man who, by the laws of his country, may have been guilty of no crime, is launched into eternity by the fiat of a Governor or Resident, whose utmost acquaintance with the laws can be but partial!"

Any European traveller of intelligence who visited the British Colonies in the Straits and saw the efforts made to procure the abolition of the Court of Judicature would naturally conclude that, however anxious England may be for the equal and efficient administration of justice within her own shores, she is quite careless of the right and liberties of her Colonial subjects. But a more extensive acquaintance with our colonies would convince him that the first object of the crown in every colony, has been to provide Courts of Justice and that some narrow-minded aims of a petty local Government, altogether alien to the spirit of the British nation, and of the British Government, have, in this solitary colony, originated designs subversive of all safety to the persons and rights of its inhabitants.

It may be useful, my Lord, to glance at the other colonies of the empire, and see whether the provisions that have been made for the distribution of justice within this settlement are so very disproportionate to the amount of its population and trade. The following table will exhibit at one view the number of Judges on the judicial establishments of some of the other colonies.

Colonies.	Population	Annual Value of Trade.	Number of Judge
Jamaica,.....	485,000	£7,000,000	11
Upper Canada,....	320,000	850,000	13
Lower Canada,....	600,000	2,400,000	12
New Brunswick, ..	100,000	1,000,000	4
Newfoundland, ..	80,000	1,600,000	3
Ceylon,.....	998,289	600,000	13
Mauritius,.....	89,616	1,300,000	3
New South Wales, ..	71,070	1,108,773	3
Van D.'s Land,.....	31,000	450,000	2
Sierra Leone,.....	26,000	180,000	1
Prince of W. Island,	90,000	1,200,000	$\frac{1}{2}$
Malacca,.....	38,000	33,000	$\frac{1}{2}$
Singapore,.....	30,000	2,600,000	$\frac{1}{2}$
United Straits Settlements	158,000	3,333,000	

Owing to the want of late returns from some of the Colonies, the amount of population and value of trade is not to be received as correct for any particular year, but the figures have all been taken from returns and estimates for some single year during the last 8 years. In a table of this kind, not prepared for commercial purposes, minute accuracy is not required. I have neither time nor means to complete this table, but, imperfect as it is, it suffices to rebut the assertion that this settlement occupies too small a place

amongst the colonies of the empire to have any claim to the maintenance of a court of judicature?

Van Diemen's Land in 1832, with a fifth of the population and one-eighth of the Trade of this settlement, had two professional Judges.

New South Wales in the same year, with half of the population and a fourth of the Trade of this settlement, had THREE professional Judges.

Mauritius with little more than half of the population and one third of the trade of this settlement had THREE professional Judges.

The Cape of Good Hope, with a population considerably less and a trade little more than one-seventh, had THREE professional Judges.

New Brunswick, with two-thirds of the population and one fourth of the Trade of this settlement, has FOUR professional Judges.

Newfoundland, with one-half of the population and considerably less than one-half of the Trade, has THREE professional Judges.

Sierra Leone, with ONE-FIFTH of the population and ONE-TWENTIETH of the Trade of this settlement, has the same judicial establishment, one professional Judge!

I have said that an efficient judicial establishment may be provided for the three settlements in the Straits at less than the preposterous cost of the present Court, which may be said in reality to administer justice for Prince of Wales' Island and Province Wellesley alone. Instead of paying a Recorder the enormous salary of eighteen thousand dollars, or nearly four thousand pounds sterling a year, and a Registrar, who is not a professional man, the equally enormous salary of one thousand six hundred and eighty pounds sterling, in order to make them ubiquitous in theory, why not employ one Barrister with a salary of twelve hundred or at the most fifteen hundred pounds, and tell him that his duties will be confined to Pinang, a beautiful little Island covered with forests of spices, and gardens of every tropical fruit tree, combining scenery the most varied and picturesque, with an atmosphere the most pure, temperate, and fragrant in the east, blessed with perpetual sea breezes, and where he may enjoy life and the cooler regions of the air at the top of hills two thousand feet above the plains, and whence he may ride into town in the cool of the morning, and open Court twice or thrice in the week. A hint should be given to him, that

a knowledge of the Malayan language, the easiest in the world, and in which two or three months on board ship on his passage out would make him a proficient, is indispensable to the proper discharge of the duties of a Judge in a Court, where he will seldom hear any other language spoken. And would it be very difficult to find another experienced barrister, who would willingly consent to be judge of the Supreme Court of Singapore and Malacca, and who would also take the trouble of acquiring the Malayan language, for a salary not greater than his learned brother of the Supreme Court of Prince of Wales' Island and Province Wellesley received?

It would not, if we may draw any conclusion from the salaries of learned English Judges in other parts of the world.

The Chief Justice of the Court of Van Dieman's Land receives a salary of £500 and the Puisne Judges £1200

The Chief Justice of the Court of New South Wales receives a salary of £2,000 and the Puisne Judges £1,500 each.

The Chief Justice of the Supreme Court of the Colony of the Cape of Good Hope receives a salary of £2,000 and the Puisne Judges £1,200 each.

The Chief Justice of the Supreme Court of New Brunswick receives a salary of £950 and each of the Assistant Judges £650.

The Chief Justice of the Supreme Court of Newfoundland receives a salary of £1,280 and each of the Assistant Judges £700.

The Justices of the Court of Queen's Bench of Upper Canada, receives £1,100 each and the District Judges £750 each.

The Chief Justice of the Court of Queen's Bench of Quebec receives £1,500 and the Chief Judge of the Court of Queen's Bench of Montreal receives £1,100, and the salaries of the Puisne Judges of both Courts vary from £900 to £500.

The Recorder of Sierra Leone receives £1,500.

The Recorder of Prince of Wales' Island, Singapore and Malacca receives £3,800!!

I have the honor to be, my Lord,

Your Lordship's most obdt. servt.

EASTERN PEN.

Prince of Wales' Island, April 1841.

[*Englishman*, June 12.

THE QUEDAH QUESTION.

Yesterday we informed our readers that we had obtained further documents explanatory of the relationship which existed between this Government and that of Quedah;—we stated that these documents had shaken our preconceived opinions, and, we think, that our readers after the perusal of what we shall detail, will conclude, as we are glad to be obliged to conclude, that our rulers from first to last have been free from blame in their treatment of the ex-dynasty of Quedah. Our former opinions were founded upon the statements in Mr. Anderson's book (of which there are to our knowledge three copies in Calcutta) and from those made during the trial of Tuanku Mahomed Saad at Pinang, not merely by his advocates but by the Recorder—and yet how erroneous were all these statements,—how partially they revealed the truth—is now apparent.

In our editorial of the 17th of March, we brought down our narrative of Quedah affairs to the year 1821—we shewed that we were not pledged in any way to defend that

tributary of Siam from any but enemies common to ourselves and Quedah—we shewed that in thus acting we had been throughout consistent—and we have now before us more evidence to the same purport, but it is needless to heap up testimony to sustain what has been already proved.

The sovereigns of Quedah had uniformly acknowledged themselves as subaltern to the King of Siam, and acknowledged their subordination, by paying the Boonga Mas—but in addition to this national tie the present ex-Rajah of Quedah was doubly bound to the King of Siam by the individual obligations conferred upon him. Possession of his gubdee had been usurped by his uncle, and it was to Siam, and to Siam alone, the present ex-Rajah owed his restoration, for it was the interference of that country removed his uncle, giving to him an inferior office at Puris, and placed the ex-Rajah in possession of the raj.

Forgetful of his allegiance—forgetful of personal obligations—he neglected to pay the

tribute he confessed to be due, and he also refused to give the Military aid required. In November of 1821, the Siamese successfully attacked Quedah, and whilst we condemn, with an indignation equal to that of any one who has vituperated the cruel massacres which ensued, yet we must observe that this has nothing to do with the rights for which the two parties were contending. The slaughter was dreadful—the success complete—and of the few chiefs who escaped the sword, about seventy, inclusive of their families, were carried away captives to Siam. Among these, let it be remembered, was Tuanku Mahomed Saad.

The ex-Rajah was neither among the slain or the captured, but fled ingloriously for protection to the British authorities in Pinang. That protection was readily afforded, but it was afforded upon terms. These specified that whilst under our protection, and receiving, as he was, a payment from our Government, he should not undertake any hostile measures against the Siamese. With these we were at amity, and it needs no argument to point out that we could be no more justified in allowing the ex-Rajah to get together an armament whilst living within our territory, than England would have been justified in letting Bonaparte live within her boundaries, and pursue measures inimical to France.

He broke the pledges he had given, and the terms we had imposed, not only by supplying money to raise forces against the Siamese, but by joining with the Burmah Court, and not until then did our Government reduce his allowance from 10,000 dollars to 6,000 per annum.

Now a word about this said allowance. By the original treaty of 1786, it was agreed the East India Company should take care that the King of Quedah was not a sufferer by our settling at Pinang, and it soon appearing that such injury did occur, it was agreed by another treaty in 1802 that we should pay to the King of Quedah as long as we retained Pinang, 10,000 dollars annually, and on his part he agreed that "all kinds of provisions wanted for Pinang, ships, &c. might be bought at Purus and Quedah without impediment or being subject to any duty or custom." In defiance of this the ex-Rajah imposed and persisted in imposing a duty upon grain so bought, and upon this infraction of the treaty the advocate General, Mr. Pearson, gave a decisive opinion that we were no longer bound to pay the 10,000 dollars. Yet it was continued to be paid to the exiled Rajah, purely out of compassion for his destitute state, and despite the claim of the Siam

Government, who urged that as it was now in possession of Quedah the compensating payment out to be paid into its treasury. So far then from the ex-Rajah having any cause to complain that we now only pay him 6000 dollars annually, he ought to be grateful for the generosity which thus amply provides for all his reasonable wants.

The Law Officers of the Company advising that the treaty with the ex-Rajah was abolished not only by his own infraction of its clauses, but by the reduction of Quedah by the Siamese, our Government entered into a treaty with this people in 1826. In this treaty are the following stipulations:

Article 13.—The Siamese engaged to the English that the Siamese shall remain in Queda and take proper care of that country and of its people; the inhabitants of Prince of Wales' Island and of Queda shall have trade and intercourse as heretofore: the Siamese shall levy no duty upon stock and provisions, such as cattle, buffaloes, poultry, fish, paddy and rice, which the inhabitants of Prince of Wales' Island, or ships there, may have occasion to purchase in Queda; and the Siamese shall not farm the mouths of rivers or any stream in Queda, but shall levy fair and proper import and export duties. The Siamese further engage that when Chao Phyer, of Ligore, returns from Bangkok, he will release the slaves, personal servants family and kindred belonging to the former Governor of Queda, and permit them to go and live wherever they please. The English engage to the Siamese, that the English do not desire to take possession of Queda; that they will not attack or disturb it, nor permit the former Governor of Queda or any of his followers to attack, disturb, or injure in any manner the territory of Queda, or any other territory subject to Siam. The English engage that they will make arrangements for the former Governor of Queda to go and live in some other country, and not at Prince of Wales' Island or Prys, or in Perak Salengore, or any Burmese country. If the English do not let the former Governor of Queda go and live in some other country, as here engaged, the Siamese may continue to levy an export duty upon paddy and rice in Queda. The English will not prevent any Siamese, Chinese or other Asiatic, at Prince of Wales' Island, from going to reside in Queda if they desire it.

Now, among the persons (amounting to seven released according to this stipulation, was Tuanku Mahomed Saad himself. He accepted his liberty upon the terms of this article, and by so doing we were pledged to assist him, if he or any of his relatives attempted to disturb the peace of Queda. In 1831 his brother or cousin did attempt, to restore his

family dynasty, and, as bound by treaty, we did assist the Siamese. A course of proceeding to which we were even more entirely called upon to enter, because the attempt was made by means of our discharged Sepoys, and the Siamese might justly have concluded, if there had been any want of alacrity on our part, that so far from observing scrupulously, as they had done for five years, the terms of the treaty, we were covertly abetting the cause of the ex-Rajah.

In 1838 Tuanku Mahomed Saad, despite the terms on which he had accepted his liberty, and in defiance of the knowledge that we should act as we had acted in 1831, attacked, and, as in the other instance, successfully, the Quedah state. We aided our allies and the Tuanku was obliged to fly for safety, taking shelter in the kingdom of Perak.

With the acts of internal policy of the Tuanku whilst his power prevailed in Quedah we have nothing to do, but our attention must be confined to his aggressive hostilities subsequent to his expulsion. He seized and plundered boats, enslaved their crews, and murdered some—some of these belonged to British subjects—and they were made when neither he nor any one else pretending to act on behalf of the ex-Rajah were in possession of Quedah. The flag of Siam was replanted there in March 1839, and the seizures of the boats were in the following November. Now these seizures we are clearly of opinion, were acts of piracy. His only pretence for hostilities must have been that he was acting for the ex-Rajah his uncle, and the latter was living under protection, was receiving our money, and had not been in possession of any territory for seventeen years! This was tolerably *prima facie* evidence that the Tuanku was acting without any possible authority, but what will our readers say when they find that the ex-Rajah actually published an express prohibition against all persons then attempting to hold Quedah against Siam! Such is the fact, and Mr. Bonham stated, that the ex-Rajah declared in other ways that he thought such attempts were prejudicial to his views of ultimate restoration. Under these circumstances, how can Mahomed Saad, the younger nephew of an ex-Rajah, with, we believe, more than fifty superior claimants between him and the gubdee if the dynasty was restored, how can he justify this warring, not only against Siam, but against us, and even capturing boats of states perfectly independent of both. If this was not piracy Black Bard was much miscalled. Why he was tried upon the case selected, in preference to

some which we could point out amongst twelve others in which he acted most illegally and like a barbarian, we cannot tell, but of this we are quite certain, that he may think himself very lucky in escaping under the plea of being a prisoner of war; for he had no more right to wage war against any state much less against states in general, than he was morally justified in enslaving the women and torturing the men whom he captured.

Why the Recorder of Pinang, Sir John Norris, was so zealous in favor of Mahomed Saad it is perhaps vain to enquire; and it is needless to explain why he attacked the Supreme Government; but one thing is quite certain, that his observations were very unbecoming, very perverting of the truth, and that his ingenuity succeeded in disguising the fact, as it now appears in the documents before us, that Mahomed Saad had committed piracy, if it is piracy to plunder and murder British and other countries' subjects navigating the Straits, or living on their shores and islands, with whom the Recorder could not have ventured to give as his opinion that the Tuanku was at war.

Of subsequent events it is needless to descant further; it was a mild interpretation to consider him prisoner of war, and as such he was brought hither, no writ of Habeas Corpus was thought of being moved for at Pinang, and even his friend the Recorder told him that he must be detained in that character. We hear that he is at Berhampore under no other restraint than that of being obliged to show himself once in the day to an appointed officer: that, at his own request, his family has been sent for, and there is every prospect that he will remain during life our pensioner on a monthly allowance of some one hundred and fifty rupees.—*Courier, March 27.*

Having been favored with a copy of certain documents, which have been drawn from the public records, relative to the affairs of Quedah, and which present a different view of the case, from that which appeared in the pamphlet received from Penang, it appears a matter of justice that we should lay the substance of them before the reader. He will then have an opportunity of comparing the statements which have been put forth by Tankoo Mahomed Saad's Council, with the official reports on which the conduct of this Government has been based.

There is one point clearly established by these documents, that no promise was made to the king of Quedah, of assisting him against

the Siamese or any of the neighbouring Malay states: that on no point did Lord Cornwallis's Government exhibit greater anxiety than to avoid any engagement which could bring the English into collision with the Burmese and Siamese authorities, and that the King of Quedah was perfectly aware of this determination, and for a time hung back from the cession of the island, but at length made it over for a money consideration, with the clear understanding that no political aid was to be afforded him. We have, therefore, been wrong in supposing that the refusal of any such alliance was made after we had obtained possession of Penang.

Capt. Glass, in April 1787, writing from Penang says, that Quedah lay "contiguous to the two potent Empires of Siam and Ava, to the former of which it was tributary, or more properly paid homage, by sending yearly a flower of gold and another of silver, which with presents and the absence of any inoffensiveness in the people, had hitherto preserved them from the attempts of either."

As to the dependence of Quedah on Siam. Mr. Crawford, proceeding on his mission to Siam, in 1821, informed the Government, when alluding to the invasion of Quedah by the Siamese, that Quedah and four other Malayan states were tributary or vassal states of Siam; that they had been so from the earliest knowledge of Europeans, and were possibly in this state, six centuries back, when the Malayan race first settled on the Peninsula. That the tributary state pays no direct contribution to the paramount state, but the latter exacts, at all times, a periodical token of submission; and in time of war claims indefinite aid in men, money, arms and provisions. The degree of dependence has at all times rested on the strength or weakness of the respective parties. During the periods of Siamese anarchy, the Malays have been nearly independent; but their submission has been obtained whenever the Siamese have again acquired strength.

On the same subject Col. Burney, in 1825 says, according to "Malayan historians themselves, a great portion of the Malayan peninsula has been tributary to Siam, tributary in the same manner as the Bible shews us it has always been the practice in Asia for great states to bind neighbouring petty chiefs to send gifts, give assistance in war, and do such other things as the strong may require of the weak." In corroboration of this, it is stated, that after the cession of Penang to us, the Uncle of the present king having usurped the throne, he went to Bangkok,

performed homage, and received an honorary title, together with an order to the uncle to resign the throne, which order was obeyed. It is further stated that the present king of Quedah, some years after, sent up his eldest son and prime minister, to do homage before the king of Siam, and again acknowledged Quedah to be dependent on Siam.

After the occupation of the island, about 1736, no distinct payment having been agreed on, the King of Quedah became very pressing, and stopped the supply of provisions. To "keep him in good humour," Capt. Light trusted him with twenty chests of Opium, at 250 Spanish dollars per chest, after which Penang was plentifully supplied with provisions. But the question of the compensation still remaining unsettled, the King of Quedah sent to Batavia and to Pondicherry, to ascertain if the Dutch and French would give him better terms. He also leagued himself with other Malay communities for the extermination of the English. These disputes were terminated by a treaty in 1791, by which the English agreed to give him 6,000 dollars a year, so long as they continued in possession of the Island, upon condition that he permitted the free export of provisions from Quedah to Penang. This condition he is said to have broken by subsequently imposing a heavy duty on the export of provisions. In another treaty in 1802, Province Wellesley was ceded to us by him, on condition that the annual payment should be augmented to 10,000 dollars.

In 1810, the Rajah applied to Governor Prince for protection against the Siamese. The case was submitted to the Government, who observed, that on the authority of generally received tradition, it was admitted, by the best informed, that Quedah had, from time immemorial, acquiesced in the paramount authority of Siam.

In 1814, the Government of Siam ordered the Rajah of Quedah to subdue Perak. He did not like the task, and applied to the Government of Penang for advice, with the view, indeed, of ascertaining what assistance he might expect in the event of his renouncing his vassalage. The Supreme Government stated, that it was by no means indifferent to the welfare of Quedah, and would perceive with great regret its subjugation by the Siamese. Yet as there was no doubt of the dependent nature of the relation subsisting between the states of Quedah and Siam, His Lordship in Council saw no ground for encouraging the King of Quedah to renounce his vassalage to the king of Siam.

The island of Penang, when thus made over to us was a mere jungle, and so dense that for some time after it had been in our possession, it could only be surveyed along the sea side. Its population amounted to fifty souls. Hence it will appear that in ceding the island, the Rajah made gift of what was but of little or no value to himself.

The King of Quedah, after he had been seated on the throne by order of the king of Siam, as stated above, misgoverned his country, disgusted his own chiefs, monopolized the trade of the country, and dissatisfied the Siamese. His own brothers revolted against him, and some of them went and complained to the King of Siam, who summoned him five or six times to appear at Bangkok in vain. The Siamese also charged him with having violated some of the conditions on which they placed him on the throne. In 1821, they came down and conquered Quedah. The old King, with his women, fled to Penang. Before Governor Philips agreed to receive him, he was required to promise that he would remain in quiet at that settlement, and not undertake any hostile measures against the Siamese from thence. The Supreme Government also desired him to be informed that the principles of strict neutrality observed towards him and the King of Siam would preclude us from permitting the protection afforded him being turned into the means of acting offensively against the Siamese. But the King never abided by this promise, for he opened a correspondence with the Burmese Governor of Tavoy, and dispatched his own friends and dependants to attack Quedah.

These documents state, that when Mr. Crawford proceeded as envoy to Siam, in 1822, he admitted at once, in his negotiations with the Siamese minister, the dependence of Quedah on Siam, stating that the point had been fully enquired into by the most Noble the Governor-General of India and been conceded without hesitation. The Secretary at Calcutta in his letter to him says:—"You are already apprised, by the former correspondence of the Supreme Government with the Government of Prince of Wales' Island, that the British Government has recognized the dependence of Quedah on Siam, and has directed the admission of it to be a rule of conduct for the Government of Penang in any political transactions with those states." Notwithstanding this concession, however, Mr. Crawford's Mission came to nothing.

When Major Burney was in progress to Siam, Governor Fullerton declared to him his conviction that no good understanding

could subsist between Siam, so long as the King of Quedah remained at Prince of Wales' Island, and that the question of his restoration to his former possessions, should be settled one way or other. Major Burney found the resentment of the Siamese against the King too high to admit of any negotiation. They maintained their own rights of sovereignty over Quedah, and determined on no account to allow the King to return to it. In their conferences they stated, that "the English and Siamese are become very intimate friends. The English favor this criminal, the Governor of Quedah, which is not proper. What advantage can the old Governor of Quedah confer upon the English? But if the English cherish friendship with the Siamese, and let it improve without loss, it appears there will be great advantage and benefit, greater a hundred fold than from the Governor of Quedah", Major Burney therefore felt himself obliged to relinquish the cause of the King of Quedah. He undertook to consent that he should not remain at Penang, but should be provided for in some other territory. And the King of Siam, in the event of the King's removal, engaged to release his captive family, seventy in number, and to abolish the duty levied on the export of grain from Quedah. These terms were faithfully kept by the Siamese; but as the King of Quedah was loth to depart from Penang, his subsistence money, the annual payment for which he sold Penang, was withheld, in the hope that pecuniary distress would drive him to a compliance with the views of Government.

It appears that the ex-King did proceed for a time to Malacca, and then returned to Penang, under pretence of removing his family; but continued unremitted in his efforts to disturb the harmony which subsisted between the Siamese and the English. The Siamese frequently remonstrated; and in 1837 he was removed by force from Bruas.

In August 1838, the Straits' Government reported, that a successful attack had been made on Quedah by a number of British subjects, headed by Tuankoo Mahomed Saud, who was one of those formerly in confinement at Bangkok, and restored to liberty by an article of Major Burney's treaty. His proceedings were disavowed by the ex-Raja at Malacca, who begged the Governor to sift the matter, that he might be free from all blame. The same documents state, that "Quedah" was subsequently re-taken by the Siamese, that Tuankoo Mahomed effected his escape, was afterwards captured, and tried for Piracy in the Recorder's Court."

Mr. Anderson's account of the taking of Quedah is stated to be a perfect romance, and greatly contradicted by the report of the Penang Government. Mr. Anderson's book was never suppressed by order of the Supreme Government. It is more likely that he and Mr. Fullerton became ashamed of it, and stopped its circulation.

The Straits' Authorities attribute the attacks on Quedah, both in 1831 and 1838, to certain British inhabitants in Penang, who have no objection to be the general receivers of Quedah booty, or, as they call it, prize property. Saud's rapacity spared neither Malays nor Siamese. Major Low says that there is not a respectable man, unconnected with the ex-Rajah, and the Penang party, who will not admit that the Sinese rule in Quedah is more mild and equitable than was that of the Ex-Rajah who, to prevent his subjects murmuring against his evil government, was in the habit of having their mouths sewed up. Col. Burney mentions having seen some of these victims of cruelty.

This statement, drawn from the archives of Government, relieves the history of these events from the dark character of perfidy, with which it appeared at the first view to be chargeable. It appears that the Bengal Government carefully abstained from any promise of assistance to the Rajah of Quedah and that the refusal of that aid when it was solicited, was no breach of faith. Prince of Wales' Island and Province Wellesley were ceded for a pecuniary consideration; and while that payment continues to be made, the conditions are fulfilled. Whether the Straits' Government has a right to withhold any portion of it, because the Rajah refuses to meet its wishes upon another point, which was not in the original stipulation, will admit of much doubt; and we think that the general voice of the public will be against any reduction of it.

The state of Quedah is said in these papers to have been tributary to Siam. This must be taken in an oriental sense. Such a thing as a small and weak state, maintaining independence in the midst of more powerful states, of which the political system of Europe presents so many examples, is unknown in the East. Here the weak are always the vassals of the powerful, and, if we mistake not, the king of Siam himself is tributary to the Emperor of China, in the same sense in which the Rajah of Quedah was tributary to him; and if it became necessary, the Emperor could legitimately interfere with the Siamese Government as directly as that of Siam has interfered with Quedah.

It is scarcely fair, however, for the English to plead their regard for the sacred and legitimate rights of eastern sovereigns over their vassals, as a reason for their conduct in this matter of Quedah. Our first step in India was to manifest our contempt for these rights; by obtaining a cession of land from a dependant governor, whom we had ourselves set up on the throne of Bengal, Behar and Orissa, in utter disregard of all those laws by which the various parts of the Mogul empire were bound to its head. In the case of Nepal, again, we have shewn with what ease these rights of sovereignty can be disregarded. Nepal is tributary to China. When we invaded that country, the King sent repeatedly to Peking to entreat the Emperor to preserve his vassal from the grasp of the English. Yet we fought and negotiated with the King of Nepal as with an independent prince, and obtained from him a large cession of territory, without once consulting the wishes of his lord paramount.

Our conduct towards Quedah, has evidently been governed in former days by a regard to our own convenience. When we wanted any thing from the King, we treated him as a sovereign prince; when he wanted assistance of us, which it was inconvenient to bestow, we viewed him as a vassal of Siam. Lord Cornwallis and Lord Wellesley, both negotiated with him as an independent prince, and as such obtained cessions of territory from him. When he demanded assistance of us in the time of Lord Minto, we refused it, on the ground that he was a subject of Siam. It may have been that between 1802, the period when we obtained the last grant of land from him, and 1810, when he implored our assistance against Siam, Government had examined the history of that country with more diligence, and discovered that he had no right to independence; but still it is a fact that we did negotiate with him originally as with a sovereign ruler. When again we sent Mr. Crawford on an embassy to Siam, to obtain commercial privileges, he was instructed to smooth his way by recognizing the sovereign rights of the Siamese over Quedah. When Major Burney was sent to enlist Siam on our side, in reference to the Burmese, he also was authorized to act upon the admission that Quedah was part and parcel of the Siamese Kingdom, and to agree to certain measures in reference to the King, which, considering the benefits he had conferred on us in the days of his prosperity, cannot but appear extremely harsh.

The treaty with Siam concluded by Captain Burney, however objectionable in a moral

point of view,—and it is open to a great variety of objections—cannot, with the documents before us, be considered as any violation of our political engagements. It is necessarily binding on the present Government of India. That treaty contained a stipulation in favour of Quedah, which the Siamese have violated by their merciless oppressions. We perceive that the Straits' Government deny the fact of these oppressions, and maintain that the rule of Siam has been more mild and beneficial than that of the Quedah princes, when they on two occasions regained the country. They also bring a charge of incredible barbarities against Tuankoo Mahomed Saad; but in neither case is this mere assertion to be considered as carrying more weight than the uncontradicted evidence given in a Court. There is distinct and manifold evidence that the conduct of the Siamese has been barbarous in the extreme, and in direct contravention of the terms of the treaty; and there is nothing to support a contrary opinion, but the bare assertion of the Straits' Government in making out their own case. In the same manner the beneficial effects of Tuankoo Mahomed Saad's government were established by uncontroverted evidence. If the Straits' Government had any substantial proof either of Siamese benevolence or of Tuankoo's cruelty, they ought, in justice to their own characters, to have brought it forward in an open and manly form at the trial.

If the Government of India believes that these atrocities have been committed by the Siamese, there is, undoubtedly, an infraction of the treaty, and the Government is no longer bound to assist them in retaining their hold on a territory in which they have committed such excesses. If Government does not believe that these atrocities are real, and that there has been any violation of the treaty on the part of the Siamese, it is bound to conform its own conduct to its provisions, and by all just means to prevent the invasion of Siam by the ex-King or his family. For, although the treaty itself was harsh, ungenerous, and unworthy of our national character, though by it we sacrificed the weak to the strong, and annihilated the prospects of the royal family from which in its pearly days we had obtained many advantages—though it deprived us of all claim to the confidence of the Malays, we are not prepared to say that the treaty having been once concluded, and being in contravention of no preceding treaty, is not binding on the successors of Lord Amherst. *Friend of India, April 1.*

Sir.—Two articles have appeared in the *Friend of India* of the first April, and the *Calcutta*

Courier of the 27th March, ultimo, on the case of Tuanku Mohomed Saad, which are a defence, not only of the proceedings of Government towards that Prince, but of the whole policy of the East India Company towards Quedah, since their first Envoy appeared there to negotiate the cession of Pinang. Had this defence been confined to an attempt to refute the arguments that were advanced on the trial of Tuanku Mohomed Saad, his cause and that of his King and country might have been safely left to the care of all men of just and independent feelings, who, in India, or in England, may take an interest in their fate. But the reasoning is untouched, and the solid foundation of facts on which it was reared has been attempted to be undermined. Had this attempt originated in the Editors themselves, and the instruments used, been mere unsupported assertions, I should have left the report of the late trial to carry, in the strength and fulness of its evidence, the refutation of all such statements. But it would seem Government has furnished, out of its records, the materials from which its defence has been fabricated, and the evidence adduced on the trial is to be overturned, by what is deemed evidence of a more authentic and weighty nature. As the character of a British Government may impress many with a respect for the representations contained in this defence, to which they have in reality not the slightest claim, and as I can scarce expect that any person in Calcutta, sufficiently acquainted with the subject, to contend on equal terms with those who are supplied with information by Government, it becomes a duty, from which I should have no excuse to shrink, humbly to aid in divesting this defence of the imposing aspect which it has been made to wear, by an unscrupulous use of all those shifts to which the defenders of a bad cause, who happen to be the wrong-doers themselves, are fain to resort, for the purpose of removing the odium of their misdeeds. I shall confine myself, in a great measure, to an exposition of the misrepresentations, suppressions of fact, and bare denials of what is here notoriously true, of which this defence is chiefly composed. There is one observation which justice calls upon me to make before proceeding. The *Friend of India* has published the statement furnished from the records of Government, separately from his own comments. The responsibility for the truth or falsehood of this statement, must, therefore, rest with the officer of Government, by whom the materials of which it is composed, have been prepared. The greater part, if not the whole of these materials, must have been furnished by the local authorities of the Straits, and I should be sorry to

inculcate the members of the Supreme Government, until there is proof that they have willfully lent their aid to publish what they knew not to be the truth. The comments of the Friend of India are at once manly and impartial, and believing, as he evidently does, that the statements which have been put into his hands are correct, I can have no fault to find with the conclusions, however unfavourable to the claims of the King of Quedah, which he draws from them. I can only regret that he should so readily have surrendered his confidence in the statements made and proved in a court of justice, confirmed by the verdict of a British Jury, and the sentence of Judge, to the dicta, unsupported though authoritative, of certain officers of Government, who cannot but have the strongest motives to make out a defence for their own conduct. The cause of Quedah and justice cannot afford to lose so powerful and conscientious an advocate, and I will not suffer myself to think that, after investigating the evidence upon which the statement put forth by him for Government is founded, he will longer remain the defender of perfidy and injustice. With regard to the Courier, I have only to say, that did he not greatly vaunt that his statements and opinions had been derived from a similar source to those of the Friend of India, I should not have taken the trouble to notice his heartless and base attempts to injure a sacred cause, by endeavouring to falsify the great facts upon which it rests, and to impeach the character of the Judge who presided on the trial of Tuanku Mahomed Saad. The defenders of Government appear to have been already driven from a considerable number of the fallacious positions which they had taken up, and I shall not offer anything in refutation of what their contemporaries of the Calcutta Press have either already met or have the means of refuting.

But before proceeding I shall enter a protest against the extraordinary course pursued by the public officers of Government in the Straits. They had means, the most ample, to have defended their proceedings, if they had believed them capable of defence, in the Court of Judicature here. Tuanku Mahomed Saad was three months in gaol before he was tried. The Resident Councillor of Peppang, a fortnight previous to the trial, was served with a notice to produce the different documents bearing on the Quedah question, and material to the defence of the prisoners, which, from Mr. Anderson's work, were known to be in the records of Government. All the statements of the prisoner's law agents, which are now contradicted, were made a week before the case came on for final

determination. The officers of Government were present when these statements were made; and yet they did not attempt to defend their proceedings, save by endeavouring to prove that Tuanku Mahomed Saad had acted without the authority of the ex-Rajah. The fact is the Government records are full of evidence against them, and no extracts, and halves of sentences and patched up statements, could have been received as exhibits in the court, however they may be welcomed by a newspaper which lends itself to advocate their cause. Tuanku Mahomed Saad, in his plea, and in his defence, repeatedly denied having committed any acts of aggression against British subjects, and was fully prepared to prove the falsehood, as well as the origin, of the charges which had been preferred against him. So far from seeking to shelter himself from investigation behind the plea on which he was acquitted, upon being informed that he was detained a prisoner of war because he had acknowledged himself an enemy, he repeated that all acts of hostility had been on the side of the British, and demanded that Government should be put to the proof of their accusations. His law agents, who had been incessantly occupied for three weeks preceding the trial, in examining the grounds of the charges against him, had arrived at the conviction, that the story of his piracies was an entire fabrication, originating in men of wealth and influence, who had the strongest motives, furnished by a deep pecuniary interest, and by revenge, to fix the imputation of piracy on the Tuanku. For the purpose of leading to a disclosure of the origin of the charges, and of obliging Government to justify the detention of the Tuanku by entering into proof of his alleged aggressions, Mr. Logan, on the 5th November, moved the court for a writ of Habeas Corpus. This writ was refused upon general grounds. But as the case was very peculiar, and appeared to have features that afforded a just claim for the award of such a writ, it was determined to make another application, when the court should return from circuit. Before his law agent was prepared to move the court a second time, Mr. Governor Bosham arrived, and despatched the Tuanku to Calcutta. Another opportunity was there sought by the Tuanku, of calling on Government to justify its detention of him as a prisoner of war. Now I protest against the officers of Government in the Straits, as well as in Calcutta, drawing back whenever an opportunity has been afforded them of defending their proceedings, by evidence, and of a fair discussion in a Court of Justice, and entrusting their evidence only to their own

advocates of the Press. It is not natural to conclude that if that evidence was brought forward in a court of Judicature, and subjected to the tests by which all assertions are there tried, it would be found different in some essential qualities?

I have said that I will limit my strictures to a mere counter statement of facts. I add that I will make no allegation, of which I am not already in the possession of the means of proving, by evidence that would be received as conclusive in a court of law.

The defence, of which the materials have been furnished from the records of Government, is made up of a grabbed and perverted representation of transactions which actually occurred. A false colouring is given to facts proved in the trial, which cannot be contradicted, and some of the worst features of the policy of Government, which do not admit of palliation, are sweepingly denied. The narrative of the horrors of the Siamese conquest of Quedah is treated as a "perfect romance!" Their rule in that country, which has notoriously been that of devils, is, with admirable effrontery, declared to be more mild than was that of the Malayan Kings, and certain nameless "British inhabitants in Pinang, receive the credit of the conquest of Quedah by Tuanku Koodin and Tuanku Mahomed Saad!

In Pinang, where there are thousands familiar with the whole past history of Quedah, since the British first acquired a footing here, statements, such as these, can only produce a firm conviction of the selfish, mercenary motives which produced our ungenerous, perfidious policy of Quedah, and have so often before dragged the servants of Government into justifications still more unfeeling to the Malays, and fatal to their own characters for honesty and manliness. I am sorry, that a British Government, instead of gladly seizing a fair occasion to induce the Home authorities to sanction a better policy to Quedah, should ever descend to approve of the use of such mean subterfuges to justify what they know to be unjustifiable. But as the Straits authorities have preferred that their defence should be published in a place, where no one but the servants of Government have access to information, that might enable him to confute their statements and have neither dared to attempt a justification in a Court of Justice, where an inconvenient rule prevails, that facts sworn to can only be received in evidence, nor to come forward through the Press of the Straits and brave the scorn and decision with which a

defence made up of such materials would have been hailed on the morning of its appearance. I am compelled to follow them to Calcutta, and publish counter-statements, not drawn from "certain documents," the authors of which are unknown—although here they may readily be conjectured,—but from authenticated records of the Penang Government, avouched by living authority of equal weight with Mr. Governor Bunham or Major Low, and from the testimony of numerous witnesses in Pinang, who would have been brought forward on the trial of Tuanku Mahomed Saad, had the local authorities had the temerity to attempt a defence of their conduct.

The only formidable positions in the whole defence are, that the connection between Quedah and Siam was of so close a nature, that the British would not have been justified in encouraging the Rajah of Quedah to resist the demands of the Rajah of Siam, or in assisting him against any invasion authorised by the Court of Bankok.

Another is that after hanging back for some time from a cession of Pinang, with a view to persuade the Indian Government to promise protection against the Siamese and other enemies, the King of Quedah was distinctly informed, that no political aid would be afforded to him, and at length made over the Island for a mere money consideration.

There are other assertions less material to the main argument, such as that the account of the cruelties or the Siamese invasion is perfect romance; that the rule of the Siamese authorities over the Malays has been milder than that of their own provinces, &c.

Now, whatever was the degree of subjection of Quedah to Siam, the British Government, in accepting Pinang, barred itself from ever bringing forward that subjection to the prejudice of the Rajah of Quedah. In receiving a grant of Pinang we adopted the title of the grantor, and we cannot withdraw from making good the consideration on which it was given, by pleading any defect in his right. Even an after discovery that the Rajah of Quedah had deceived us, in representing that he was absolute sovereign of Pinang, would not relieve us from the obligations which were contracted to him at the time of the cession. Even admitting that Pinang really belonged to the King of Siam, and that the Rajah of Quedah was a mere governor appointed by him, still, if the King of Siam did not directly exercise the authority of sovereign, but allowed the Rajah to assume all the powers of King, and to give away portions of the dominions of Quedah for his own purposes, any

foreign nation, not in alliance with Siam, would be bound, by whatever conditions the Rajah had chosen, to attach to a grant to them of a part of Quedah. Whatever was the nature of the connection between the two countries, it was evident the Rajah was exercising all the powers of King in Quedah and might make what use of his authority he thought fit, in securing personal advantages, and even alliances to support himself against the King of Siam. Pinang had a certain political value to himself. With it, according to Mr. Light, he might have purchased the protection of the Dutch, French, or Danes. The King of Siam would no more have prevented him from making over the Island to them, than he interfered to bar the cession of it to us. We, therefore, deprived him of that which, however subordinate he was to Siam, he could use to make himself independent. To turn round upon him when it afterwards became inconvenient to fulfil the conditions of the cession, and allege his weakness and dependency as an excuse for breaking them, while it is certain the cession was made for the sole purpose of securing his independence, looks very like a piece of political chicanery.

But let us examine whether the King of Siam had such actual dominion of Quedah, including Pinang, as to render it unjust and improper for the British to protect the Rajah of Quedah from Siamese aggressions. I find a variety of epithets used by the defenders of Government, and by those who have written upon the subject, to describe the relation which subsisted between Quedah and Siam at the period of the cession of Pinang. I find the King of Siam sometimes termed the Lord Paramount the Liege Lord, the master of the King of Quedah, and the King of Quedah termed the Tributary vassal, subaltern, subordinate, servant and even the slave of the King of Siam. These words have various meanings, and the use of so many shews that the writers either did not understand their exact signification, or wrote very carelessly. But in discussing a grave political question, on which the honour of a British Government on the one side, and the fate of the Quedah nation on the other side, depend, it is necessary to be more discriminate. Different writers, according to their education, will use expressions more or less appropriate; and the likelihood is that those from whose observation and enquiries our knowledge of the connection of Quedah with Siam has been in a great measure derived, were not sufficiently versant in the history and language of feudality, to attach very correct ideas to the various terms by which they sought to describe the nature of that connection. Besides the tenures of feudal nations

were various—and in numerous instances the vassal, though continuing to render the services of his tenure, had become altogether independent of his superior. Instead, therefore, of adopting for a purpose, terms that are sure to mislead the reader, and have no equivalents in the native languages, let us endeavour to ascertain what this connection really was, that has been so variously and so loosely described. Now, we find that the Siamese Government, before they obtained Pinang with great caution and, very properly, directed Mr. Light to examine into the nature of this connection, and report whether the King of Quedah was the rightful sovereign or the country. From his different reports it appears, that Quedah had flourished for many centuries under Malayan Kings, and there is no evidence of its ever having been subject to Siamese authority. In one letter Mr. Light writes that “it does not appear, either by writing, or tradition, that Quedah was ever governed by the Siamese Laws or customs. There would have been some remains had there been any affinity between them. The people of Quedah are Mahomedans, their letters Arabic, and their language Javanese. The King came originally from Menangkalean in Sumatra; but as Quedah was very near Ligore, or the kingdom of Siam, they sent every third year a gold and silver tree, as a token of homage to Ligore. This was done to preserve a good correspondence, for, at this period, the Siamese were very rich and numerous, but no warriors, and a considerable trade was carried on between Ligore and Quedah. After the destruction of Siam, the King of Ava demanded the gold and silver tree, and received the token of homage from Quedah. Pia Tack drove away the Burmans, and built a new city at Siam, and kept peace with both, paying homage sometimes to one, and sometimes to the other, and often to both.”

In another letter Mr. Light thus explains the connection between Quedah and Siam. “By long custom, the King of Quedah have acknowledged the King of Siam as their Lord Paramount, and sent triennially a gold and silver tree as a token of homage; in return for this the King of Quedah was supplied with elephants from the forests of Ligore, and the Provinces of Siam, which, to him, was matter of great profit. This was ALL THE CONNECTION. The present King demands a heavy tribute of money, arms, men, boats and provisions to be employed in his wars against the Burmans; to avoid this the King of Quedah seeks the alliance of the English. He has no alternative, either he must join the Siamese against

"the Burmahs, or defend his country against the Siamese; the latter is by far the most prudent and beneficial."

Capt. Glass, in one letter to the Supreme Government, describes Quedah as a "tributary," but he immediately explains that he means only that a gold and silver flower was sent to Siam. In a despatch of the Straits Government in 1810, when the King of Quedah had applied to Lord Minto for assistance, the words "vassalage," "paramount authority of Siam," and "tribute" are used, but they explain that these words are only used to describe a triennial present of a golden flower, which was received and given more as an assurance of continued friendship than as an acknowledged (or till then claimed) right of feudal military service.

Such in reality was that connection which, since 1826, has been termed by the advocates of Government that of the Governor and the Sovereign of Quedah.

Because the Kings of Quedah had for centuries sent every third year a small ornament to the King of Siam, as "an assurance of continued friendship," and "to keep up a good correspondence," the King of Siam was justified in claiming large supplies of money and military aid, in forcing the King of Quedah to attack Perak, and thereby impair his strength, and then, in the language of Mr. Light, "in destroying and extirpating" his country; and the British were justified in breaking the conditions on which they had obtained Pinang in league with the Deserter of Quedah, in sending ships of war to compel the Malay Chiefs, when they had nobly regained their country, again to abandon it to the extermination, and finally, in seeking to hang the last assertor of the independence of Quedah, and, by legislative enactments, to render it criminal for any of the Malays, who have found refuge in this settlement,—the territory of a third King; and still their country more than ours,—to take up arms against the Siamese.

But the arguments of the defenders of Government are founded on a gross misrepresentation of facts. It was not because Quedah was a tributary of Siam that the Supreme Government, after being fairly in possession of Pinang, retracted their engagements to protect Quedah. If they had considered Quedah to be so dependent on Siam that they could not support the former country against the oppressions and threatened invasion of the

latter, without in some measure inciting or abetting rebellion, they would have gone direct to Bangkok to solicit a cession of Pinang, and not have placed themselves in the position of tributary, and given the King of Siam the same claim to their services, which he assumes to those of his immediate vassal, and their superior, the King of Quedah. It was from no consideration of the dependency to Quedah that they have broken faith with the King, but it was avowedly because they did not wish to be involved in any political relations with the Eastern States. The Advocates of Government had better make themselves acquainted with its records from 1786 to 1788, before writing on the Quedah case. Silence is preferable to misrepresentation.

But in reality the nature of the connection of Quedah and Siam is more proper for the discussion of Advocates of the Siamese than of the British policy. It is the nature of our connection with Quedah, that must be discussed. The origin of the triennial present, a golden flower by the King of Siam, may be involved in obscurity. The origin of the annual payment of 10,000 dollars by the East India Company to the King of Quedah, admits of no doubt. The claims of Siam upon Quedah for military aid, &c. are without foundation in any obligations contracted, or even in any prescribed right of the strongest. The claims of Quedah on the East India Company for Naval and Military aid, are founded on the most explicit and solemn engagements.

The Advocates of Government delight in propagating the idea that Quedah had been immemorially a vassal of Siam. The services of vassalage were the return for benefits conferred by the lord paramount. The vassal, according to feudal principles, derived his territory from his superior. He was bound to render certain services, and his lord was bound to protect him. There is nothing analogous to this in the connection of Quedah with Siam. It has never been shewn that the ancestors of the King of Quedah were originally invested with the sovereignty or Government of Quedah by the King of Siam, nor has any instance been adduced of the King of Siam ever appearing in the character of Lord Paramount a protector of Quedah. Quedah was found a jungle and peopled by Malays from Sumatra. Its Kings as one period received their investiture from the King of Malacca, then the most powerful Prince in the Peninsula. When Malacca declined, the Kings of Quedah remained

* Or rather to Pegu, for the King of Siam seldom judges himself the vassal of the Emperor of China.—Vide Crawford.

perfectly independent. They were once attacked by the Achinese, and no protection was then extended to them by the King of Siam. Where is the foundation of the demands made by the Siamese for Military aid, &c., on the King of Quedah after an occupation of Pinang? Even if it were true, as the Straits' authorities, in making out a case for themselves, assert, that the King of Siam, whenever he was at war with the Burmese, had compelled the King of Quedah to furnish him with men, money, and provisions—this would not prove that their demands were based in right, or that the King of Quedah was acting a traitorous and rebellious part, when he requested the aid of the English to save his country from undeserved destruction.

Mr. Light was directed in 1785 to report on the nature of the connection between Siam and Quedah. Suppose that the Dutch, with a view to oust the English from Pinang, or to acquire the means from the king of Quedah of destroying the trade of the Island, by a rival settlement at the Lancavys or elsewhere, had sent a commissioner in 1787 to examine and report on the nature of the connection between Pinang and Quedah, the East India Company and the Rajah. There would have been nothing in this report about a jungle attached to no state, having been found and peopled by Englishmen. Nothing about golden flowers or golden fruit immemorably sent as a present by the Governor of Bengal to the Lord of Quedah to conciliate his good will. Nothing about unjust and oppressive demands for military aid on the Governor-General of India; but he would have reported that the East India Company held Pinang of the king of Quedah by a tenure very similar to that of the feudal times. Pinang, from its position, is likely to become the largest trading port in the kingdom of Quedah, and the East India Company, during their occupation of Pinang, were bound to pay to the Rajah a certain annual rent; that the rent was merely a compensation for the revenue derived by the East India Company, but that the paramount duty of the tenant was to furnish ships of war and military aid when the kingdom was attacked or threatened by invaders.

Instead of endeavouring to discover that Quedah was ceded to the Malays by the Siamese upon a military tenure, (which we as tenants of the kings of Quedah are barred from asserting even at true, when a collision takes place between our superior and his superior) it becomes the real friends of Government to seek to form an honest and conscientious opinion on the actual services or

aid which the King of Quedah has been right to demand from us which we have to retain Pinang from him.

The advocates of Government, in misrepresenting the nature of our tenure of Pinang, talk much of the policy of the East India Company at the end of last century, and their anxiety to avoid collisions with the native powers to the Eastward, that might lead to territorial acquisitions. The letters of the Governor-General to Mr. Light are triumphantly appealed to, as shewing that the Supreme Government had no intention of going to war with Siam for the sake of Pinang. Now I conceive that to determine the nature of the connection between the East India Company and the King of Quedah, the actual nature of one tenure of Pinang—the letters of the Governor-General of India, to his agent are of very secondary consideration. They may throw light on the measures and conduct of Mr. Light; but in discussing the rights of Quedah and the obligations of Great Britain at the bar of universal justice, we must direct our enquiries not to ascertain the private views of the Governor-General, as expressed in his communications to his agent, but to determine what inducements were held out to the king of Quedah to cede possessions of Pinang—what at the time of cession had been brought to believe, by the representations of the British envoy, was the equivalent which he was to receive from the British for that cession?

This is the grand question which will be discussed when the conduct of the East India Company to Quedah shall be investigated by the Imperial Parliament, and the evidence by which it will be determined, is the mutual communications between the Governor-General of India, either directly, in his own letters, or through his envoy Mr. Light, and the king of Quedah. The grand difficulty to contend with will be the desire which has been manifested to suppress that evidence. But, thank God, ample proof has been rescued from the jaws of destruction.

The custody of the records of the local Government has not always been in the hands of the men who have furnished the copies of documents bearing on Quedah to the Friend of India. Whether the correspondence between Captain Light and the king of Quedah, and the letters of Captain Light to the Governor-General, relating his communications with the king of Quedah, have been destroyed, or are now concealed, is of little consequence, as it only tends to put an end to all confidence in their statement. A full and true transcript of all the

documentary evidence authenticated by the keepers of the records, and by the Governor of Pinang, has been preserved. The destruction or suppression of the records would have been incomplete without an attempt to disprove the authority of Mr. Anderson's work; but this work was prepared with the sanction and for the information, if not by the orders of, Government. To deny its authenticity is to impeach the honesty of Governor Fullerton, who is now dead, and of Mr. Anderson, who is alive, and will, doubtless, come forward to defend his character from the imputation of using the Government records for the purpose of wilfully deceiving the Court of Directors, as to our true relations with Quedah.

Now the documents of which transcript are preserved in Mr. Anderson's official compilation, prove, that there has been a great deal of suppression and misstatement of facts on the part of those who have furnished the Friend of India and the Courier with the materials of their defence of Government. There is thus afforded a strong *prima facie* presumption, that the partisans of Government are conscious of the weakness and injustice of their cause. But when it is remembered, in addition, that Government itself has on all occasions avoided a public investigation of its defence, an irresistible conviction arises that a policy which requires concealment and deceit, must be felt, even by its authors, to be inherently wrong, and to reflect disgrace on themselves.

The authority of Mr. Anderson's official compilation from the records of the Straits Government in the year 1824, being thus confirmed by the means to which the enemies of truth descend to attack it—what evidence does it afford to determine the great question which must be considered whenever Quedah shall draw the attention of the Parliament of Great Britain? It contains evidence the most ample, clear, and conclusive, that perhaps ever yet was brought to bear on a political question of the kind.

In many cases tradition, or some vague custom, has been the only standing memorial of international rights and duties, and all disputes have been ended by the sword. A few centuries back the East India Company would have boldly proclaimed in Europe that they were not bound beyond convenience to regard their obligation to a petty Prince like the King of Quedah. In the nineteenth century a different course must be taken.

Governments are now amenable to the same rules of morality to which society owns itself subject. Conceitment may blind the

world to the truth of many political acts, but the day has gone by when the parade of power could silence the voices of the people and smother all enquiry.

The servants of the East India Company, by avoiding a discussion in a Court of Judicature, cannot escape the necessity of meeting evidence by evidence. The tribunal of Public Justice will not be imposed upon by mere authoritative declarations and *ex-parte* statements. The Imperial Parliament will be found as severe in its demands for authentic evidence as Her Majesty's Courts of Justice in India would have been.

The first material fact in the history of our connection with Quedah is, that the Supreme Government of India, in the latter part of last century, attached great importance to the acquisition of a settlement at the head of the Straits of Malacca, to serve as a naval station not only for the resort and refitting, but for the building of men-of-war, as a trading port, and for the protection of the large trade with China, the Indo Chinese countries, and the Archipelago. Pinang was recommended as the best position for these purposes.

Amongst others, Captain Scott reported to the Supreme Government, that in Pinang they would acquire "the best and most convenient Marine Port which the Malay coast afforded, whether it was considered as a retreat for a war Fleet or a Port of Economical Commerce."

It is admitted that before the King of Quedah was menaced with the destruction of his kingdom by the Siamese, the Indian Government sent an agent to procure the cession of Pinang, and that all his inducements failed to reconcile the King to the idea of selling a portion of his country.

The next material fact established by Captain Light's reports to the Supreme Government is, that shortly before he tendered his services to negotiate a transfer of Pinang, the Burmese, who had overrun the Siamese territories, were repulsed, and before disbanding his army, the Siamese General had determined to destroy the states of Patani, Tringapo, and Quedah for assisting the Burmese during the long war that then ended. When Captain Light arrived at Quedah as Envoy of the Governor-General of India, the Siamese General had already partly carried his threat into execution, and was then exterminating the ryots of Patani. All the men, old women, and children who could not flee from their savage invaders, were seized, tied, thrown on the ground, and trampled to death by elephants,

The young women were reserved to gratify and he requests Captain Light to explain to the brutal lusts of these monsters. Such was the Governor-General how, by the Company's agents residing at Penang, he would lose the benefit of these monopolies, and to beg as a compensation the annual payment of 20,000 dollars so long as the Company resided at Pinang. It will thus be perceived that money was not the consideration for which he was willing that the Company should occupy Pinang. In the Preamble no mention is made of money having been offered by Captain Light as an inducement to the king. Here he does not even make it a condition that an annual rent should be paid for the island, but points out the actual pecuniary loss which it will occasion to him, and begs an annual compensation for that loss. The remainder of the Treaty contains the absolute conditions, on the acceptance of which by the Governor-General depended is being allowed to form a settlement at Penang. The first is merely a clause to guard himself from being responsible for loans that may be made by the Company's Agents to the chiefs of Quedah. The threatened invasion by the Siamese, which was likely to be by seaward, had been the grand incentive to enter into terms with Mr. Light, and it was chiefly insisted that Penang should be used for building ships of war to cruise at sea, and protect the country from such dreaded invasions. But in addition to this duty, which was to be inseparable from the occupation of Penang, further conditions are here stipulated for the protection of the king from all enemies whatever, rebels as well as foreign invaders of Quedah from the interior, "shall be considered as enemies of the Company." These engagements of alliance, the Company should not alter while the heavenly bodies continued their revolutions. The solemn and imperative language which is used in reference to this protective alliance, clearly marks that it was the grand and sole condition of allowing the Company a footing in his dominions. He next requests arms, men and money to carry on "the war."

The conclusion is so important that I shall give it in the words of the Treaty.

"Should these propositions be considered proper and acceptable to the Governor-General, he may send a confidential agent to Pulo Pinang to reside; but if the Governor-General does not approve of the terms and conditions of this engagement, let him not be offended with me. Such are my wishes to be made known to the king, and this treaty must be faithfully adhered to till the most remote times."

When it is considered that all attempts to obtain Pinang for a money consideration

* Vide the treaty in the report of the trial of Tuan-ku Mahommed Saad.

had failed—that the Envoy of the Governor-General had been obliged to make an occupation of Pinang, and the defence of Quedah inseparable—that no stipulation is here made by the Rajah for the payment by the Company of any purchase or rent for the Island—but the one solemn and imperative consideration is, that the Company shall guard the country of Quedah from invasions by sea and from the interior, and shall consider all enemies of the Rajah as their own enemies—when the Governor-General's being allowed to send an agent to reside at Pinang is made to depend altogether in his approval and acceptance of these conditions—it will surely be admitted that the Rajah had put it beyond possibility that he could be misunderstood.

But if further evidence were wanting of the terms on which the Rajah tendered a settlement at Pinang, and of the impossibility of the Supreme Government having misunderstood these terms, it may be found in the letter of Mr. Light to the Governor-General, in which he thus remarks on the stipulation for assistance and protection in arms and men.

“This article comprehends the principal and almost only reason why the king wishes an alliance with the Hon'ble Company, and as the treaty must be worded with caution, so as to distinguish between an enemy endeavouring or aiming at his destruction or that of the kingdom, and one who may simply fall into displeasure with the king or his ministers.”

Now, I repeat, that in the discussion of this great political question in England, the policy and intention of the Supreme Government will not be enquired into save to charge them with foulest perfidy. The Governor-General, if he acted honestly, intended, when he was put in possession of Pinang, to protect Quedah. If such was not his intention he deceived Mr. Light, and made him the instrument of the most disgraceful designs, and he deceived the King of Quedah to the destruction of his kingdom. Do the advocates of Government consider the nature of the charge which they bring against Sir John Macpherson, when they assert that he took possession of Pinang with no intention whatever of affording Quedah protection against the Siamese and other enemies? They charge a Governor-General of British India, with conceiving and executing the mercenary, coldblooded and criminal scheme of defrauding the King of Quedah of his only possession,

that would purchase the security of his kingdom from utter destruction—of leading him to take no further precautions, and seek no aid from other European Powers against the threatened extermination of his country—of leading him to confide in the assurance that the British would protect him if attacked, and yet of being determined all the while to move not a single step to save him from destruction!

But I have not now to do with the intentions of the British Government of India, whether honorable or perfidious.

Did the Governor-General accept this offer of the King of Quedah? Did he send a confidential agent to reside at Pinang? Did he, before accepting of the offer, propose that the conditions should be in any way modified? Did he write to inform the King of Quedah that, as the principal and almost only condition on which he offered a settlement, was the defence of Quedah, it was impossible for Government to accept the offer? Did he write to Mr. Light to explain that the policy of the Company would prohibit his entering into the engagements required, and to request him to endeavour to procure the Island for a mere pecuniary consideration?

He wrote thus to Mr. Light.

“It has been resolved to accept the King of Quedah's offer to the Company, of the Harbour and Island of Pinang. This Government will always keep an armed vessel stationed to guard the Island of Pinang and the coast adjacent, belonging to the King of Quedah. The Governor-General and council, on the part of the East India Company, will take care that the king of Quedah shall not be a sufferer by an English settlement being formed on the Island of Pinang.”

And thus he replied to the offer of the King of Quedah.

“Your friendly letter, containing a grant of Pulo Pinang to the Honorable Company, was delivered to me by Captain Francis Light on the 6th of February 1786. Captain Light also made known to me the requests of my friend and brother which I, having the interest and friendship of my noble friend at heart, have already transmitted to England for the approbation of the King of England and the Honorable East India Company. I have likewise ordered a ship of war for the defense of the Island and protection of the Coast of Quedah.”

Pinang was taken possession of, and this letter was delivered to the King of Quedah. The King had written "if the Governor-General approves and accepts of my propositions he may send an agent to reside at Pinang." The act of taking possession was, therefore, an approbation and acceptance of the conditions on which the right of occupying the Island had been made to depend. But was there any exception to these conditions taken in this letter, or by Mr. Light, and consented to by the Rajah of Quedah, before receiving possession? The letter speaks for itself. And of any modification of the terms having been made by Mr. Light, there is no evidence whatever. But there is evidence that Mr. Light verbally confirmed the assurances conveyed in the Governor-General's letter. In a letter from the son and successor of Sultan Abdullah to Earl Minto in 1840, which, besides bearing strong internal marks of being a faithful narrative, is confirmed by a great deal of evidence afforded by Mr. Light's letters, there is the following account of the occupation of Pinang.

"My father, impressed with a sincere desire to detain the friendship of the Company, granted the Island of Pinang according to the request of Mr. Light, the Agent of the Governor-General, and a written engagement, containing any father's demands from the Company, was given to Mr. Light, for the purpose of being forwarded to the Governor-General. After some time Mr. Light returned to settle on the Island, bringing some sepoys, and informed my father, that the Governor-General consented to his requests, and had sent people to settle on the Island; that the writing from my father had been transmitted by the Governor-General to Europe for the purpose of receiving the Royal Seal and sanction, and that it would be returned in six months. My father accordingly granted permission to proceed to settle on the Island of Pinang, and sent his people to assist in the works, and his officers to protect them from pirates in the commencement."

This narration agrees entirely with the tenor of the Governor-General's letters to Sultan Abdullah and to Mr. Light, and taken with them, entirely confutes the gross misrepresentations of the cession of Pinang, which have been put out by the advocates of the E. I. Company's policy, and founded upon "copies" of documents furnished to them from the archives of Government.

I now ask, not whether the statements relative to the cession of the Pinang contained in Report of the Trial of Tuanku Mahomed

Saad are founded on fact, but what confidence can ever again be placed in those who, upon the authority of these very Government records, have promulgated the declaration "that no promise was made to the King of Quedah, of assisting him against the Siamese or any of the neighbouring Malay states; that on no point did Lord Cornwallis's* Government exhibit greater anxiety than to avoid any engagement which could bring the English into collision with the Burmese and Siamese authorities, and that the King of Quedah was perfectly aware of this determination, and for a time hung back from the cession of the Island; but, at length, made it over for a pecuniary consideration, with the clear understanding that no political aid was to be afforded him?" A Government that degrades to authorize the publication of statements such as these, to defend its bad conduct, may well be distrusted. Let the friends of Quedah take warning, for if even in India the defenders of Government have the hardihood to assert such enormous untruths, what subterfuges and misrepresentation will not be resorted to in England?

I have already said that if the circumstances under which we acquired Pinang are clearly and prominently brought into view, and freed from the misstatements which will doubtless be put forth in England as they have been in India, it is not to be supposed that Parliament will suffer itself to be misled by the antiquarian researches of Major Low, or the assertions of Mr. Bonham, that Quedah at some remote period was conquered by Siam, or that besides the present of the bunga-mas in time of peace, Siam had been accustomed, in time of war, to compel the Rajah of Quedah to furnish men, money, arms, and provisions. Even if these assertions were strictly true, it was to be free from the oppressive demands of the Siamese, to be no longer under the necessity of maintaining his independence by occasional compliance with arbitrary indefinite requisitions to save himself and his country from impending destruction that the King of Quedah gave Pinang to the East India Company. All that the British Government and their subjects here have ever reaped from the possession of Pinang, is the price of aid that has never been accorded to Quedah. The debt, so far from having been released by late events, has increased with the accumu-

* I presume Sir John Macpherson is here meant Lord Cornwallis had nothing to do with the cession of Pinang. He was not in India at the time of the negotiations. Pinang was taken possession of on the 12th of August 1786. — Sir J. Macpherson did not quit the Government until the 12th of September following.

had accompanied his offer of the Island had been sent to England to receive the sanction and seal of His Britannic Majesty, and that it would be returned properly executed, in six months. It appears by the letter of his successor to Lord Minto, that he waited for some time beyond that period and then requested Mr. Light to send him the treaty. Mr. Light desired him to wait a little—meanwhile he was instructed by the Supreme Government to offer the Rajah a pecuniary consideration. The Rajah became more impatient for the return of the treaty executed, and for a formal settlement.

Mr. Light urged the Supreme Government to declare the Rajah at once under British protection. The letter in which he advises their taking the responsibility of a formal declaration of the convention between the EIC and Quedah is dated 17th May 1787.

"The Honorable Board was pleased to mention in their instructions that they are willing to give a pecuniary consideration to the King of Quedah. Soon after the *Ravenworth* sailed the King became very pressing, and we found, for a considerable time, a difficulty in procuring provisions. I wrote to the King that it was the intention of Government to make him a compensation for the Island, and to keep him in good humour, I trusted him with 20 chests of opium at 250 dollars per chest, since which we have been plentifully supplied with provisions. There is a necessity for coming to some terms with the King of Quedah while the fears of the Siamese and Burmahs are upon him; and have reason to believe nothing will be acceptable without Government promising the King protection. This place will be subject to many inconveniences without such an alliance as will oblige the King to furnish the settlement at all times with provisions, and preventing other European nations from settling in any other part of his country. Should the Siamese be permitted to take possession of his country, we shall not only find an insolent and troublesome neighbour, but be under the necessity of assisting them in their wars, or to go to war with them ourselves. I humbly conceive that it will be easier, and attended with less expence to the Honorable Company, to declare at once the King of Quedah under our protection; little else than the name of the Company will be wanted; the longer it is delayed, the greater will appear the consequence of the Island, and the more difficulty there will be in fixing a settlement. The Danes, the Dutch and the French have solicited permission to have only a house in Quedah; either of them will promise much, and

should the King consider himself aggrieved or disappointed by the English, he may, in despair, seek for their alliance."

This letter contains the strongest confirmation of the preceding narrative. It appears from it that in some instructions received by Mr. Light from Calcutta—a short time previously—the Governor-General had informed Mr. Light, he was willing to give the King of Quedah a pecuniary consideration. The King had then been very pressing for a settlement. The six months within which he was to have received back the treaty from England, had elapsed. He had begun to suspect that the British were trifling with or deceiving him, and to bring them to a speedy arrangements and a formal ratification of the engagements under which they had been permitted to settle on the Island, he had put difficulties in the way of procuring provisions for the new settlement, but the trade had very rapidly been transferred from Quedah to Pinang. We have the authority of Mr. Light and Captain Glass, that within the first year of the new settlement the Quedah people had become very discontented from the abstraction of their trade to Pinang, and the evasive answer Mr. Light had given to many of their requisitions. "This had impressed them with the idea that they had been deceived."* The Rajah said that the trade of Quedah, from which he chiefly drew his small revenue, was rapidly decreasing, and already it was evident that the new settlement would ruin Quedah as a trading port.† Mr. Light's promises and declarations, which, previous to his obtaining permission to occupy the Island, and for some time after, under Sir John Macpherson's sanction, had been manly and explicit, were now become "evasive." The detention of the Treaty looked very suspicious. The trade and revenue of Quedah were melting away. The King became pressing. He interdicted the supply of provisions to Pinang. Mr. Light then, apparently for the first time, wrote to the king that it was the intention of Government to make him "a compensation for the Island." No specific compensation is mentioned, nor does it appear that Mr. Light had been authorized to tender any specific sum. But the date of this letter suffices to rectify the fundamental error into which the friend of India has been led. So far from Pinang having been originally made over for a money consideration, it is not till nearly a year after

* Capt. Glass's letter to the Supreme Government, Anderson pp. 68.

† Mr. Light's letter.

its occupation that Mr. Light intimates—that it is the intention of Government to make the King pecuniary compensation. If further proof were wanting that it was for the sole object of being relieved from political difficulties—that the English had been permitted to settle at Pinang, this letter would be conclusive. Mr. Light declares that the settlement was dependent on Quedah for provisions—that the King had the power of injuring Pinang by giving other European nations a settlement in his country—that it was only in his fear of the Siamese and Burmese we had obtained, or could obtain, any advantages—that it was necessary to come to terms with him while he was still apprehensive of evil to his country—that neither pecuniary compensation, nor any thing else, would be accepted by the King, without Government promising protection, as Sir John Macpherson had done—that the sooner a formal declaration was published that the King of Quedah had been taken under the protection of the East India Company, the better, because the Island was every day becoming of more importance. It was jealously watched by the Dutch, because it threatened to engross all the trade of the Straits. The longer we delayed declaring Quedah under our protection the greater would appear the consequence of Pinang. The Danes, the Dutch and the French had already “solicited the King to have only a house in Quedah.” Their eagerness to participate in the trade which Pinang had proved to be so advantageous, would every day increase. They might come forward and make such offers that the King would immediately close with their terms, and place them in a position that would enable them to destroy the prospect of Pinang. They would make whatever promises he chose to impose, they would not deceive him and retract their engagement like the English. It was, therefore, necessary to come to terms with the King immediately, otherwise he might consider himself aggrieved by the English, and, despairing of the safety of his country if left to the protection of such fickle and faithless friends, hasten to the secure the alliance and protection of other European powers, which would readily have been accorded him for the sake of such advantages as would have cut up the trade of Pinang and drawn it to themselves.

Here then, in May 1787, before the Island had become so populous as to render the abandonment of it injurious to the settlers under the E. I. C.’s protection, another opportunity was given to Lord Cornwallis to adopt a just and manly line of conduct towards the Rajah of Quedah. We are informed by the advocates of Government, that he

had, from the first, determined not to assist Quedah; then why, when he received Mr. Light’s letter, dated 5th October 1786, in which he says he had informed the kings that “assistance would be given him (in case of invasion) while the English remained in Pinang,” did he not immediately instruct Mr. Light to hasten to Quedah, and honestly and explicitly to declare that his Lordship was under the painful necessity of breaking the engagements contracted by his predecessor, and, since his assumption of the Government by Mr. Light, that if the Siamese invaded Quedah he could not aid him even to save his kingdom from destruction, and that unwilling to encourage a false confidence in British assistance, which might ultimately prove the ruin of his country, and sincerely anxious that Quedah might be saved the horrors of a Siamese invasion, he advised his offering Pinang to the Dutch, whose jealousy of the settlement, and eagerness to shut out the British from the Eastern Trade, would doubtless make them willing to undertake the defence of Quedah, on the same terms to which Sir John Macpherson had acceded?

In May 1787 was a second and more imperative call upon Lord Cornwallis to throw off all duplicity and act the part of a humane and honorable Englishman. Mr. Light cleared reminds him of his duty to declare Quedah at once under British protection—urges him, as strongly as he might venture, to delay no longer, nor think to induce the king to accept of any other terms than the defence of his country—shews that the protection which his Lordship wishes to withhold would be afforded by the Dutch, the Danes, or the French, and conveys the most explicit intimation, that if the King of Quedah knew that it had been determined not to assist him he would consider himself aggrieved, and in despair seek for other alliance.

When this letter reached Calcutta to what deliberations did it give rise in the Council? No recorded has perhaps been preserved, but it is easy to conceive by what reasoning they arrived at the resolutions which were afterwards communicated to Mr. Light. It was doubtless loudly insisted that the want of a naval station had been severely felt during the late war with the French. That Government, since 1783, had anxiously sought to acquire a station where our fleets might lie in the monsoon, and not subject Calcutta, again to the risk of being deserted by an Admiral, because he could find no place nearer than Bombay to take shelter, and left at the mercy of the French Fleet. That a station for building and refitting ships of war,

and for the refuge of merchantmen, &c. would be always requisite, so long as the Indian seas were liable to be invaded by the fleets of hostile European powers. That it was necessary to check the further extension of Dutch monopoly in the Eastern Seas. That Pinang was admirably adapted for a naval station and a commercial port, from the security of its harbour, and the ease with which vessels of any tonnage might lay almost touching the shore, and under the protection of the guns of a fort. That the Island abounded with timber of all descriptions. That provisions could be plentifully supplied to the largest fleet, from Quedah. That already its trade was considerable, and promised in a few years to be immense. That the Straights of Malacca was the great channel of our trade to China. That it was much infested by pirates ; and that it was absolutely necessary on these accounts, as well as on many others, that we should keep Pinang.

Then as to declaring Quedah under our protection, it seemed that the Burmese and Siamese were frequently engaged in hostilities and that both looked to Quedah for assistance when they were for a time dominant and could awe the Rajah into compliance with their demands. That the British Parliament regarded with a jealous eye, any wars carried on by the E. I. C. which seemed to have for their object, or resulted in, territorial acquisitions. That it would be highly imprudent to take a part in the politics of the ultra Gangetic Nations. That they had quite enough to do in attending to the affairs of India, which were surrounded with difficulties. That it was evident before long they would be at war in the Dekhan and would find it impossible to confine the boundaries of their Indian dominions, however anxious they might be to comply with the resolution of Parliament and the injunctions of the Court of Directors. That to declare Quedah under their protection would be to involve themselves in the politics of the Indo Chinese nations, and would probably lead to a war with that powerful nation, the Siamese.

It was to be regretted Sir John Macpherson had committed them so much. The King of Quedah was doubtless placed in an unfortunate position ; but after all he was a very petty Prince, and the lives of a few thousand Malay barbarians could not be for a moment considered, when weighed with the impolicy of going to war with Siam.

It was resolved, therefore, to retain Pinang and to afford no assistance whatever to the King of Quedah.

But, says an Honorable Member, if their resolution be communicated to the King, he will seek the aid of the Dutch, the Danes, and the French ; he may offer them Pinang or some other part of his territories, and the trade of Pinang may be ruined.

Resolved, therefore, that the King of Quedah be deceived for a few years longer, and without expressly assuring him that we will desert him, let Mr. Light make no further promises, and if he is at all worthy of being employed by Government, and has any talent for diplomacy, he will contrive to keep the King's mind buoyed up with just enough of trust in our protection, to prevent him from casting of all connection with us, and selling Pinang to another European Power for protection.

And was there not one humane and honest man amongst them ? Was there no voice to call up to their memories the horrid scenes that Patani had exhibited but two years before, to remind them of what awful doom it was that Pinang had been given to avert—to shew them the brutal savages of Siam rushing amongst the panic struck village of Quedah, massacring their unarmed and defenceless inhabitants ; seizing old women, men, and children, and some tying, throwing on the ground, and trampling to death with elephants, others flaying alive—ripping open the bowels of the pregnant women—stripping naked the young and modest virgins—violating them in sight of their fathers and brothers, with every added circumstance of savage brutality ; tossing up infants and catching them on their spears—holding them up by one foot and cutting them in two—to shew them Quedah exterminated—blasted into a wilderness, its peaceful inhabitants murdered—slaves in Ligor and Siata—or scattered abroad amongst foreign countries—to thunder in their ears the full burden of the wickedness and enormous criminality of the course they had resolved to pursue, and to arrest them ere they had plunged into the gulf, in which the lives and happiness of a whole nation, and their own humanity, name, and honour would be utterly swallowed up, and lost for ever ?

A cold-blooded, mercenary, devilish policy prevailed, and Quedah was sacrificed at the shrine of British greed.

Whether the resolutions abovementioned were at once agreed on after receiving Mr. Light's letter, or were not adopted without a lingering consciousness of their injustice, and a desire to pursue the course pointed out by honesty and humanity, does not appear ; but

although Mr. Light's letter was dated in May Patani; but Quedah was an insignificant nameless province. Amidst the vast events of our Indian history our connection with it did Government intimate to Mr. Light their positive decision, not to afford protection to the Rajah. The letter in which this resolution was conveyed to Mr. Light, is as follows:

"With respect to protecting the King of Quedah against the Siamese, the Governor-General in Council has already decided against any measures, that may involve the company in military operations against any of the Eastern princes. It follows, of course, that any acts or promises which may be construed into an obligation to defend the king of Quedah, are to be avoided. If, however, Mr. Light can employ the countenance or influence of the Company for the security of the king of Quedah, consistently with these rules, the Governor-General in Council has no objection to his adopting the measure, strictly guarding against any act or declaration that may involve the honor, credit, or troops of the Company." It will at once be perceived how much this letter is in accordance with the views which we have supposed to prevail at the Council Board, when Mr. Light's letter was received. It is one of the worst specimens of the merciless and selfish tendencies of that political expediency, before which the humanity of the British Rulers of India has so often fallen. There is not one expression of regret for the deep injustice of their policy—not the breathing of a wish that the king of Quedah might still obtain from other powers the protection of which they now defrauded him—not the remotest intention manifested to restore Pinang, that it might be given to the Dutch, the Danes, or the French, to purchase the defence of his country! But when the circumstances which called forth this letter are clearly brought to mind, it assumes even a darker colour. "It follows, of course, that any acts or promises which may be construed into an obligation to defend the king of Quedah, are to be avoided." There is something so cold, heartless, and perfidious in this sentence, that it is difficult to read it with calmness. In prosecuting the great line of policy on which the Indian Government has resolved; it follows, as a mere matter of course, that Quedah, a petty Malay state, shall be consigned to destruction! It was not for the great Statesman to whom the newly risen British Empire in India had been entrusted, to distress his mind with the miseries of a paltry hundred thousand Malays!

A horde of savage destroyers might overwhelm the villages of Quedah, and renew all the hellish horrors of the extermination of

It was no wrong in a Governor-General of India to deal thus with a petty Malay Prince. Alas, poor King, how had heaven deserted you! Destruction gathering her dark armies on your Siamese frontiers, and threatening every moment to overwhelm you! Burmah ready to invade you if you attempted to conciliate Siam by obeying her cruel requisitions! Siam already full of jealousy at your giving the British a footing in your dominions, and calling upon you to expel them. And now, after leading you to part with the means of purchasing protection from other European powers, and to increase the anger of Siam by seeking British aid against her, the mandate of the Governor-General is on its way. The British have cast you off, and abandoned you to the mercy of the enraged Siamese. Their wild, barbarian bands will soon come rushing to the spoil and to the slaughter—their troops of elephants will soon be driven over the prostrate bodies of your people—to the temples of God, where your Imams now raise their voices in prayer, will the loveliest virgins of your lands be dragged by ferocious Idolators, and brutally ravished. To the peaceful sounds of village industry, the old traditionary stories of your grey-haired ryots, the pantoons and the song, will succeed groans of agony, and wild, affrighted screams, and yells of savage delight, arising higher as murder and torture and violation abound. The curse will fall upon all your land. It will overtake the husbandman in his field. The infant will be speared in its cradle. The venerable patriarchs, who have been carefully tended for years, will be beaten to death where they sit in their weakness and decrepitude. The young village girl, whose glad footsteps modestly has continually awaited on, and in whose bosom a soft and tender passion is awaking, will be startled in some sweet interview with a charming youth, by savage monsters, who have rushed from Quedah or Alloostar, satiate of carnage, and inflamed with lust, and the bodily tortures of her expiring lover will be unfelt in the madness of witnessing her horrible doom.

By Lord Cornwallis could not stoop to contemplate the fate of Quedah. He did not even direct Mr. Light to announce to the King that the new Governor-General retracted all the engagements of his predecessor

and of his representative Mr. Light, at the commencement of his own Government. He did not order him to cease deceiving the King and tell him at once that he was abandoned by the English.

Upon receiving the letter of the Governor-General, Mr. Light was plunged into the extremity of difficulty, and embarrassment. He felt all the dishonesty and cruelty of misleading the King any longer, but he shrank from communicating the final resolution of the British Government.

It seems to be pretty clear that although Mr. Light did not positively inform the King that he was utterly abandoned by the British, the effect of his communications were such as to confirm the conviction, that had for some time been growing on his mind, that he had been deceived, and to produce a temporary belief that the East India Company would neither restore Pinang, nor give him any aid against the Siamese.

It will be asked why then did he not take possession of Penang and offer it to some other European Power? Doubtless he would have acted thus if he could. But when the East India Company had determined to hold what they had robbed him of, it would have been madness in him to have attempted to recover it. There are grounds, however, for supposing that when he found himself deceived by the British, and in an infinitely worse position with respect to Siam than before he entered into a treaty with us, the poor King, in despair, was driven to seek a compromise with the Siamese. There is abundant evidence that the King of Siam was enraged at his giving the British a footing in his dominions, and there can be no doubt that the object of the cession of Pinang was well known at Bangkok, and greatly inflamed the irritation which the assistance rendered by Quedah to the Burmese during the late war had first excited. The King of Quedah had no other cause left then to endeavour, by submission, to avert the impending extermination of his kingdom, and it is very probable that the King of Siam would insist on the expulsion of the British from Pinang, and equally reasonable to think that the King of Quedah would willingly have procured his assistance in expelling Mr. Light, provided he could thereby secure the forbearance of the Siamese.

Mr. Light thus conveys to the Supreme Government his impression that such was the course the King had been driven to take:—

“Capt Wright, in the *Grampus*, who arrived here on the 21st instant, from Siam reports,

that at Siam they questioned him particularly about the strength of this place. The French Padé begged of him, not to mention Pinang, for the King was exceedingly distressed at the English being there. They told him at his departure, that the King had sent a letter desiring the Hon'ble Company to take marque. Two messengers from Quedah were at Siam, and report spread that the Rajah of Quedah had sent to Siam complaints against the English; the same report from Junk Ceylon, with this addition, that the Rajah had written for assistance to drive the English from Pinang.”

If ever settlement deserved to be nipt in the bud, Pinang did. From the moment Lord Cornwallis wrote the letter of January 1788; the existence of a single European in the island was dishonorable. The British flag from that moment was upheld by force and perfidy alone. It would have saved a long tale of British disgrace and cruelty had the Rajah been sufficiently strong to have then expelled us.

The following communication from Mr. Light, to the Supreme Government, marks how earnestly he still desired that Government would allow him to pursue the dictates of his own conscience, and the strong sense he entertained of the infamy that would be reflected on the British name is, after the manifold engagements to the King of Quedah, we deserted him in his hour of need.

I should be extremely sorry, from any ill grounded apprehension, to put Government to any unnecessary charge or trouble; but it is impossible to say what may be the intention of the Siamese.

If they destroy the country of Quedah they deprive us of our great supplies of provisions, and THE ENGLISH NAME WILL SUFFER DISGRACE IN TAMELY SUFFERING THE KING OF QURDAH TO BE CUT OFF. We shall then be obliged to war in self-defence against the Siamese and Malays; should your Lordship resolve upon protecting Quedah, two companies of sepoy with 4 six pounder field pieces, a supply of small arms and ammunition, will effectually defend this country, against the Siamese, who, though they are a very destructive enemy, are by no means formidable in battle; and it will be much less expense to give the King of Quedah timely assistance, than be obliged to drive out the Siamese after they have possessed themselves of the country.”

Mr. Light might have resigned his situation of Superintendent had it been productive of nothing but dishonour to him; but, from his

books, which are now before me, it appears to have produced besides, a handsome monthly salary from his employers, and a very lucrative trade. And it cannot be wondered that he should have in some measure, adopted the convenient principles which were extensively acted on by the English in India of those golden days. He preferred gilded dishonour and the power of Lord of the Isle, to the loss of the favor of Fort William and its consequences. In obedience to the requisitions of the Governor-General in Council, after finding that all his representations could not induce them to change their policy in reference to Quedah, he proceeded to use his endeavours to prevail upon the King to consent to a mere money arrangement.

In June 1788 he thus wrote to Government.

"I made an offer to the King of Quedah of 10,000 dollars per annum for 8 years, or 4,000 dollars per annum for so long a period as the Honorable Company should continue in possession of this Island. To this offer I have received no answer. I have endeavoured to soothe his Majesty into compliance with the offers of your Lordship, and have hinted, that although the Company did not wish to make alliances which might occasion disputes with powers they were at peace with, THEY HAD NOT POSITIVELY FORBID MY ASSISTING HIM IF REALLY DISTRESSED."

Mr. Light was deserving of a higher place than Superintendent of Pinang. Had he studied under Machiavelli, he could not have shown more ability in the art of political lying. From this letter it is clear that even two years after the occupation of Pinang, Mr. Light had not informed the King of the final and obsolete determination of the Governor-General not to protect him against the Siamese. Although it is clear the King now despaired of ever getting back the treaty which was to him the most important portion of the arrangements relative to the cession of the Island, and was convinced that the English had made a mere tool of him for their own purposes, the following letter will shew, that not for three years after taking possession of Pinang had Mr. Light so positively informed the king that Lord Cornwallis would not fulfil his engagements as to make him renounce all hope of our aid.

In July 1789 Mr. Light writes.

"I make no doubt, but that the king of Siam will take the first opportunity to send his troops into Quedah and Trangano;" and afterwards "I have entered on the character

of the Rajah of Quedah to prepare your lordship for a scene of duplicity which he is endeavouring to effect, and which principally prevents my not embracing the present opportunity of waiting on your lordship. After acquainting the king of Quedah of the intention of Government to allow him 10,000 dollars for 7 or 8 years, he remained silent a considerable time, at last he acquainted me, that he did not like the offer, without stipulating for any particular sum of money, or mentioning what performance on the part of the Company would content him. Being informed, that he did not relish the idea of selling the Island, I asked him if he chose to accept 4,000 dollars per annum for as long a time as the Honorable Company should continue in possession of the Island: to this, after waiting a considerable time, he answered in the negative; at the same time, by his letters and messengers, he endeavoured to draw a full promise that the Honorable Company would assist him with arms and men, in case an attack from the Siamese should render it necessary. This I evaded by telling him, no treaty which was likely to occasion a dispute between the Honorable Company and the Siamese, could be made without the approbation of the king of Great Britain at present, as there was no reason for his entering into war with the Siamese, he had nothing to fear; the Siamese and all other country powers would consider the English as his friends, and for that reason, would not disturb him, unless provoked thereto by his bad policy. "From the information I have received, I am pretty well satisfied of the king having wrote to Malacca and Batavia to try if the Dutch would give him better arms, and last year, I hear, he wrote to Pondicherry, to try if the French would undertake to defend his country."—*Hurk. July 7.*

The friends of that unfortunate individual, Taunkoo Mohamed Saad, have addressed two separate letters, on the subject of our remarks in his case, the one to this journal, and the other to the *Hurkaru*. We have published the first portion of our letter this week; the rest will appear in the next number, in which we hope to be able to take up the subject briefly, and to point out the specific points of discrepancy which are apparent between the statements furnished by his advocates, and the documents which were found in the archives of Government.

At present we confine ourselves to the single point of setting our correspondent and the Editor of the *Hurkaru* right, regarding the share which we took in this discussion.

They have both fallen into the error of supposing that we were engaged to defend the case for Government, in common with the *Courier*. We have no means of knowing through what agency the *Courier* was furnished with the documents; but we cannot for a moment suppose that Government could have had any hand whatever in supplying him with them. We received no communication whatever on Quedah affairs, either from the Supreme Council, or any of its Members, or the local Government, or from any Board, or any Secretary whatsoever. On perusing the documents sent us from Penang we, in common with our two morning contemporaries, felt that the case of Taunkoo Mahomed was one of peculiar hardship and injustice; and our remarks were written under that impression.

After the appearance of that article, we received a letter from a friend in Calcutta, who was so kind as to take an interest in this journal, saying that we had been completely misled by the representations of Taunkoo Mahomed's advocates, and had thus been led to give an erroneous version of the transaction. He informed us, moreover, that when

the question came before Lord Auckland, ordered such to be made among the records of Government from the earliest date, and an extract to be made of every document, which threw any light both upon our early and our recent relations with Quedah; and with the permission of the head of the department in which the documents had been compiled, he sent us a copy of them.

These papers, penned without any view to recent events, presented the whole question in an aspect so totally different from that in which he had been led to view it, that we considered it only a matter of justice to the Government of the country, to present to our own readers, whose minds we had been instrumental in influencing against the public authorities, an epitome of the evidence on which Government had been led to act. And we are satisfied that if the papers had been sent to the *Hurkaru* and the *Englishman*—it is much to be regretted that this course was not pursued,—their own sense of honour and justice would have led them to pursue the same course and to lay both sides of the question before their readers.—*Friend of India*, July 1.

SEASONING OF TIMBER.

TO THE EDITOR OF THE MAULMAIN CHRONICLE.

SIR,—Should you concur in the impression that the annexed memoranda possibly may, at the present moment, be of some value to parties interested, attention having been especially directed to the subject by the authorities, I would request a space in your journal for their insertion.

Maulmain, 20th May, 1841.

Yours faithfully

MEMORANDA.—The sap of vegetables being the cause of fermentation and consequent decay, it is indispensable, to produce sound timber, that a tree should be killed, or felled during the season in which the vessels are least charged with that fluid, and that period is either when the tree is in full leaf, but beginning to shed, or immediately after the sap is down. This latter requires great care and judgment in determining, and if allowed to pass, the sap rises rapidly and the trunk may be overcharged, although no leaves have appeared. It is admitted, that there is no better method of preparing a tree for felling, than cutting away a ring of alburnum

at one of the periods above mentioned, and on account of the difficulty alluded to, it is preferable to cut the ring when the tree is in leaf, but beginning to shed. The ascent of the sap is thus entirely prevented, and the leaves on the tree expand by their after growth and respire the fluid which remained in the tree above the ring.

2. Timber when felled is best seasoned in situations presenting a free circulation of air round it, and by gradual drying. Exposure to a tropical sun causes cracks and flaws from the sudden and unequal expansion produced in different parts.

In these Provinces, Timber should be seasoned under sheds.

Wood imperfectly seasoned is liable to ferment and decay, whenever it re-absorbs moisture. For better extraction of the sap, water seasoning has been recommended. It consists in immersing the green timber in water for about two weeks, after which it is taken out and seasoned in the usual manner. It is requisite, however, that the timber should be completely under water, as nothing is more destructive to timber than partial immersion. —*Maulmain Chronicle* May 26.

NON-PUBLISHING OF CIVIL SERVANTS' DELINQUENCIES —MR. HARVEY'S CASE.

A correspondent, whose letter will be found in the usual place, asks, "Why are not the suspensions of Civil Servants put in orders, as those of Military Men?" Our answer is "Why, indeed?" It would be difficult to expound any satisfactory reasons for the pursuit of a different course of procedure, in the case of a delinquent Civil Service, from that which is pursued in the case of a delinquent Military officer. Our correspondent is, however, we think, in error, regarding the suspension of Messrs. Harvey and Wyatt. If our information be correct, they were not suspended; their official conduct was under investigation, and they were removed from office, pending these investigations; this is not what is generally understood by suspension, which is the punishment after investigation; but is tantum tantum to Military arrest. Mr. Harvey was only removed from his appointment as Commissioner at Chittagong, for some error of judgment or other somewhat similar to that for which Mr. Asst. of the Madras Civil Service, was lately removed from the Collectorate of South Arcot, resulting from an over anxiety to fill the treasure chests of his Honorable employers. There is no doubt, however, that Mr. Oldfield has been suspended after his official conduct has been investigated, as a punishment for offences then brought to light. The question is, then—why is not this decision formally declared by Government. But for the announcement, which appeared in the *Hurkaru*, the public would have been in ignorance of this decision. What is the true end of all punishment, but to deter others from committing the offences thus visited? Yet here we see a government not making an example of one of their erring servants, but wreaking their vengeance upon him! This is the real state of the case. It scarcely requires further comment. Our morning contemporary, some time ago, made some very proper remarks on the subject, and if any more are needed, we refer to the mutatonomine extract from a recent editorial of our own, which our correspondent has quoted as applicable to the case. Let us have nothing behind the curtain.—*Hurk.* August 20.

Sir, In your paper of the 4th, you have some well expressed remarks touching the Army.

I would say a word on the character of the Civil Service, of which its members and its masters ought to be jealous.

Why are not the suspensions of Civil Servants put in orders as are those of military men, and why is the punishment of Moonsiffs and Sudder Ameen's put in orders and not that of Civil Servants? At present, as a retired individual, I am sure I don't know who are suspended and who are not, amongst the Civilians. Many, no doubt, undergo suspension who, on inquiry, are found faultless. I know not what number of them are suspended or have been suspended lately, but, having my eye on a particular case, fancy the process must be frequent. When Mr. Oldfield was accused, Mr. Wyatt, who had just been unsuspended, was sent to Tirhoot to inquire into the matter,* and now when Mr. Oldfield is suspended again, Mr. Harvey who, it is said, was lately suspended, is to act for him. I say nothing against these gentlemen, but people who do not know them would feel gratified if they saw in orders that they returned to their duty honorably acquitted; and I mention their names merely to ask you if suspension is so very common, seeing that these three men brought in contact, you may say in the course of service, have all lately been suspended.

The inference is that the punishment is not rare.

As to Mr. Oldfield's case, it is a very singular one. He was suspended and lost his pay for 6 months, some 15,000 rupees. He was restored and got back his 15,000 rupees. He is suspended again, and report says, has to refund these 15,000 rupees.

A funny sort of hocus-pocus to play with a man's pay. But the offence must even in the last instance not have been considered very slight, when a Civil Service Post Master General's money is thus dealt with. Poor Dr. Drummond, at Hazareebaugh, was not fit for a military Post Master. His accounts were wrong 40 rupees. I cannot conclude this letter better than in your own words, touching the army on the 4th, slightly altered to suit the circumstances.

Though we must ever regret to see the prospects of any man ruined by a momentary indiscretion and, on that account, viewing the matter in the abstract, are pleased to

* Was not Mr. Samuels sent?—and did not Mr. Wyatt take charge of Mr. Oldfield's office.—Ed.

see the mild treatment with which the offence committed has been visited, we cannot, regarding the interests of the Civil Service, and of the country, as of more account than the welfare of an individual, abstain from recording our opinion, that such mildness as this, contrasting as it does strongly with the tone adopted in other cases, is likely to lower the Court of Directors in the estimation of its warmest admirers, and materially to affect the discipline of the service, which it should be its study, in every measure, to support. Whether guided solely by its own judgment, or influenced by others, the mistake, assuming the accuracy of the Nizamut Adawlut's statements, has been a grievous one, and much to be deplored. It has an ugly look, looks as though there were some respect of persons, as though a distinction were drawn between the unbecoming conduct of a Sudder Ameen and of a Judge, the distinction being unfavorable to the former; whereas the indiscretions of ignorance, are far more venial than those of knowledge, and the ill effects of the publicity of such indiscretions upon the service, are far more extensively felt, when the Judge is the chief actor in them than when a sudder Ameen is the guilty party. Unfortunately, too, the untoward affair at Moozufferpore, is one which, in spite of every endeavour, cannot be pushed up. Unusual publicity has been given to the occurrence: not only was part of the strange scene acted in open court almost in the presence—in the actual presence, we believe, of some of the Omlah of the court; but details of the affair have been published in every paper in India, and there is scarcely an Officer in the Army (who is not familiar with some particulars of it. But it is at the station where the judge ruled that the mischief will be most sensibly felt; for how must respect for the service be weakened by the conduct exhibited in this affair by the Civil Judge, before the Omlah of his Court."

Yours obediently,

A LOVER OF FAIR PLAY.

Hurkaru, Aug. 20.

We concur with the *Hurkaru* in the strictures which he yesterday passed on the general silence of Government, as to any orders or observations having reference to the misconduct of civilians. In addition to the officer named (whether it was Mr. Samuel's or Mr. Wyatt is of little consequence to the argument) we may state that Mr. Lee Warner was likewise deputed to investigate the Moazuffpore affair, and that it was upon his

representation that the Court of Sudder Dewannee Adawlut sentenced Mr. Oldfield to a temporary suspension. Against this decision Mr. Oldfield—who appears to have been supported by high influence at home, as well as in this country—appealed, and the decree of the Sudder was reversed. The interest at home to which we have alluded is understood to have caused so extraordinary a delay in the final decision of the Court of Directors, to whom, however, other sources of intelligence, beside the official notification, were certainly open. The removal, by rotation, of such interest, produced an approval of the prior sentence, with a prohibition to Mr. Oldfield's again holding judicial appointments. That Mr. Oldfield has lost the Post Office and has been superseded by Mr. Harvey, need not be repeated; but it has also been whispered that he was on the point of being made a Commissioner. Now as there has been no official promulgation of the interdict we have mentioned, the question is, will this appointment take place or not? It is against the principle, rather than the man, that we are speaking, when we express our hope it will not—though we should wonder little if it did, seeing how the Civil Service is guided by a common-cause sentiment, in burking details of all delinquencies on the part of its members. We are induced the more strongly to insist on the necessity for adhering to the letter of the Court's determination, because any deviation from it serves only to encourage those—happily they are few—who are disposed to commit the same faults, from a hope that they can escape their consequences in the anticipated leniency with which such matters will be treated. Jealousy and vigilance are, in these cases, doubly required; since in all the services of the state, there is not one that holds out so many temptations, from the very fact that, in it, there is no public exposure of impropriety. A man is suspended—it may be for error in judgment, or for direct corruption. Here is a wide difference as to the nature of the fault—yet the punishment appears the same, and to casual readers will convey no precise idea as to moral turpitude. However, though through some channel or other the truth is sure to transpire, so at least as to become the topic of private discussion, the public owes to Government no thanks for promulgating what that truth may be—and so much of it as cannot learn the real state of the case, is compelled still to repose its confidence in the restored party, from the possibility that he may have suffered only for the lighter, and not the moral offence. Nay, the mischief may work the other way, and lead to suspicious

as injurious as unmerited, where, perhaps, there is no higher degree of misbehaviour than a word improvidently uttered, or a judgment at fault with correctness. Nothing can be more simple than to obviate this by publication, as in the army, of both the offence alleged and the sentence passed; and as, the happiness of the subject, is deeply involved in the integrity of the functionaries with whom he has to deal, it is right he should be informed as to the character and extent of the culpability for which a punishment is awarded. Why is the covenanted officer alone to be exempted? The Sudder Ameen, exercising no slight authority, is not dismissed without the why and wherefore being duly divulged; but his next superior escapes publicity. What other inference can we draw, than that he owes his exemption to a predetermination, among the covenanted officials of his class, not to disclose the aberrations of their own body? Is the honor of a civilian more dear, in public estimation, than that of the soldier, or indeed of any other individual liable to official degradation?

The sentiment that supposes this is rotten at the core; tending to encourage and extend the mischief that is evidently deprecated by the act of punishing in any shape, and at all.

It is the bane of all good service that sympathy should be allowed to arrest one single consequence of convicted guilt. Equally reprehensible is it, that a custom, originating in such sympathy, should be suffered to continue. The civil, like every other service, will have its admixture of good and bad. To be thoroughly immaculate is not the condition of existence, in any course of it; and so where we will, there must still be occasion to lament with Cato the undeniable truth of "Rome" having its "Cæars." Of what then should there be apprehension in delivering to the world, that which, more or less distinctly, it cannot fail to know—a clear statement of both cause and result, whenever the civilian stands committed away with such sickly and silly precautions—they but increase the very mischiefs they are intended to avert, while they inevitably create doubt and disgust at the mis-placed favor which gives exemption to a peculiar class from the proper restraint to which every other is subjected—the dread of being held up as "examples to deter."—*Calcutta Star*, August, 21.

We have received a copy of a Memorial to the Court of Directors, presented, or about to be presented, by Mr. John English Harvey,

of the Bengal Civil Service. This gentleman was formerly Commissioner of Revenue and Circuit of the Chittagong Division, from which office he was removed on the 15th of February, 1841, by a resolution of the Governor of Bengal, and placed out of employ. The memorial is too long for publication in our columns, and we can only say that Mr. Harvey appears to us to have made out a strong case for redress. He complains, and apparently not without reason, that "he has been condemned unheard, and punished unconvicted." We have, upon a former occasion, expressed our opinion, that the system pursued with reference to charges against members of the Company's Civil Service, is most faulty, and quite at variance with the spirit and policy of all English laws and custom. All that the public hear or know of such matters, is derived from occasional brief entries among the Government Orders, intimating that Mr. A. is put out of employ, or that Mr. B. is removed from the Collectorship of this or that district, and Mr. C. is appointed to do duty in his room. The rest is left to conjecture and rumour. In many instances, indeed, the parties themselves are scarcely a whit wiser as to the causes of their removal or suspension; indeed, we are credibly informed, that many an uncovenanted Civil servant has been actually dismissed from the service without any distinct official intimation to him of reasons. We contend that this Star-Chamber mode of proceeding is not fair, either to the service or to the community at large. It may be very necessary that the local Government should be vested with the most extensive powers of removing, suspending or even dismissing subordinate officers; but let the punishment be inflicted after a fair trial, and a public conviction,—not upon unknown charges, and a secret inquiry. In the military service, an officer cannot be deprived of a step in his rank without a Court Martial,—of which the proceedings are as public as of a trial in Her Majesty's Courts of Justice, and the charge, and the finding, and the sentence, are promulgated in General Orders; but a member of the Civil Service may be removed from his appointment, and his salary reduced from rupees, 3,000 per month to rupees 300 per month, without even the shadow of a trial. We are not connecting upon a particular case, but upon the system; and we wonder that the service have not long ago protested against its continuance, and memorialized the Court of Directors, or the Board of Control. We believe that the local Government do not possess the power of absolute dismissal, in

The case of a covenanted Civil Servant, without the sanction of the Court at home; but they do possess the power of virtual dismissal, for they can suspend any officer (below the rank of a member of Council for an indefinite period, or put him upon subsistence allowance," and keep him out of employ as long as he remains in the country. Is this a power, we ask, to be exercised without a fair and open trial? — *Hurk., Sept. 2.*

Following up our notice of Mr. Harvey's memorial, we now come to a specification of its contents,—upon which we shall dwell somewhat fully, in order that our readers may form an exact idea of the circumstances under which he was removed from his appointment, and, as a consequence of his suspension, been obliged to endure the loss of no less a sum than £1,600. It is brought to the view of the Directors, in the first place, that, at the time when, under orders received from them, the Government proceeded to reduce the salaries of all Magistrates and Collectors to Rs. 28,000 per annum, the conduct of the Memorialist was so appreciated, that the Governor of Bengal made him an exception to the operation of this decree, and that the same was finally confirmed by the Court, with a recorded approbation of his services. We next find him so ardent and zealous in the execution of his duties, that even ill-health could not impair his desire to make himself useful, in his particular vocation, in the district of Chittagong. He obtained leave of absence on account of sickness; but in its duration was appointed Commissioner "on the removal of Mr. Dampier to another Commissionership. Having already suffered from the climate of Chittagong, he nevertheless, under "a sense of public duty" resolved on returning to it, and eventually, with the sanction of the Sudder Board and Government, undertook "the extra duty of completing the survey, measurement and settlement of the Chittagong district," in addition to the duties of the Commissionership. Thus it appears that Mr. Harvey was in the performance of a double duty, the portion of which, foreign to his immediate province as Commissioner, never brought him one iota of extra remuneration. It is also to be borne in mind that, it was for "alleged errors in this gratuitous performance, that the Memorialist was suspended. Having up to 1840 continued to receive the approbation of his superiors, at that time his surprise may be well imagined, on ascertaining that a member of the Sudder Board was deputed to Chittagong. An intimation to this effect was made

to him by the Secretary of the Sudder Board; but not a word was said of the object of this deputation; nor has Mr. Harvey had access to a copy of the final report. Whilst Mr. C. W. Smith, the member deputed, remained at Chittagong, the communication between that officer and the Memorialist was unreserved upon all points where information was sought. The following is an extract from Mr. Smith's report to Government, of the 11th November, 1840—showing to the commonest understanding that he, at least, found no cause for dissatisfaction. "In conclusion, the Board has in no degree had reason to alter its opinion of Mr. Commissioner Harvey's high qualifications as an able and indefatigable officer of the Government, whose whole time and unwearied attention is given to the discharge of his public duties, and whose official errors alone emanate from giving undue and preponderating weight to the interests of Government, and thus appearing to forget that those interests are indissolubly united to the best interests of the people. Upon the whole, the Board believes that it has scarcely one Commissioner in the Lower Provinces, who would have evinced the same degree of temper and high sense of subordination as that which has been shown by Mr. Harvey in the midst of searching enquiries into his official acts, such as those which have been recently instituted by the Board on Deputation, or in the discussions to which they have given rise." Fearful of having any thing dubious left in the course of the above "searching enquiries," Mr. Harvey applied for ten days' leave of absence, that he might repair to Calcutta in order to afford a viva voce explanation upon points not clearly understood or defined. It is not our intention to give multiplied quotations from this memorial, but the reply of the Governor-General, also dated on the 14th November, is so curious and striking an instance of the inconsistency and want of reflection conspicuous in the entire transaction, that we cannot resist its insertion. "Lord Auckland has given his best consideration to your letter of the 1st November, and desires me now to say, that he regrets that he does not feel that he could, with any propriety, allow you to quit your division at the present time. He looks to the most important results from your UNBROKEN personal superintendence of the extensive operations committed to your care in all the Districts of the Division."

The charges contained in the Resolution against Mr. Harvey amount to no more than this—that certain notices, in resumption cases,

were defective, and that he "approved and defended—thereby making it his own—an illegal order of his Predecessor." That also, in 1834-5, when Deputy Collector of Chittagong, he attached certain Lakhiraj Mehals under a misapprehension of a specified Clause in Regulation 3 of 1828. With respect to the first of these it is objected, that not only were the notices not defective, but they were absolutely unnecessary—"supererogatory"—useful, in fact, only as giving to the people a ready mode of appeal in any individual case of hardship, or injustice that might occur." Regarding the approval and defence of an illegal order, Mr. Harvey observes, "your Memorialist never heard of this order until it was brought to light in the course of Mr. Smith's enquiries." On the third allegation he remarks, "the Law is so badly worded, that shortly after its issue a construction was found necessary to prevent the very error into which your Memorialist fell; and this construction, from some oversight, never reached your memorialist's office." In reply to another observation given in the Resolution, that, in the discussions between Mr. Harvey and the Board of Deputation, the former had confined "his defence" to the technical correctness, and the legal completeness of his operations, the reply is, that this "was all he was called upon to defend." The memorial also urges, that no one was so little prepared for the final result as the deputed Member of the Board himself, and that the removal from office occurred "not only without his concurrence" but "contrary to his expressed opinion."

These form the main points upon which we shall dwell. It has appeared incumbent on us to detail so much of the facts, even at the hazard of being tedious, as may give a clear knowledge of the manner in which Mr. Harvey has been dealt with. Why we think his case a most cruel one, we shall endeavour to shew to-morrow—and whether he has been justly or unjustly dealt with, one thing is quite certain,—the hole and corner system has here worked with so tangible an effect, that Government has only itself to thank for censure if it really possesses any information about Mr. Harvey which could warrant the extreme measures that it has adopted. To be wholly sincere, we do not think it does; but be that as it may, there can be no palliation of the mode in which its retribution has been made to fall, even supposing that there were good grounds for disgracing a tried and well-approved Officer. It cannot but discourage the Service at large, to witness the exercise of an authority, so arbitrary, that the

ordinary requirements of justice are disregarded without even the pretence of an excuse, (Calcutta Star, September 2.).

Having detailed the principal points insisted upon in the memorial of Mr. Harvey, we now proceed to offer such comments as have suggested themselves on an attentive consideration of the whole question. We hardly think there can be a dissentient opinion as to the fact of this meritorious officers having been dealt with in a manner alike at variance with justice, courtesy, good sense, and policy. We can have no difficulty in arriving at this conclusion, on the shewing of the reasons advanced in the Government resolution for Mr. Harvey's removal—combated as they are by his most able, lucid, and, to our judgment, irrefutable appeal. The amount of crime—this is hardly the word, though the nature of the punishment inflicted would teach those who had no means of coming at the facts that some grievous culpability was involved—the amount of the crime we say, extends no further than error of judgment at the worst, and is imputed by the authorities themselves, but to an over anxious desire to secure the greatest possible benefit to the state—for with the charges contained in the resolution, there is an unqualified acknowledgement of Mr. Harvey's "unwearied industry and application to business," and (as we yesterday shewed) the testimony of Mr. Smith, after investigation—"searching enquiries" as they are termed—is quite conclusive as to his having the full confidence of the enquirer, in respect to his conduct throughout the discussions carried on between them. It must be remembered that Mr. Smith unhesitatingly affirms his "errors" were but the errors of zeal; and this is the utmost he had to advance against him, although deputed for the express purpose of finding fault whenever it was to be found. Let the confession of Lord Auckland also be recollected, that it was the conviction of Mr. Harvey's "UNBROKEN personal superintendence" which alone could satisfy him as to the proper prosecution of the measures then executing "in all the districts" of his division—and that, therefore, he could not grant even the ten days leave for which he applied—even though the leave itself was connected with the very business about which the deputation was ordered and the discussion were carrying on. But of this hereafter. For the present we shall turn to what is proffered as the real ground of displeasure. Mr. Harvey's "pertinacity" in defending the measure of a predecessor, and thereby making it his own,—although he expressly shewed that such measure was not only

never defended by, but was absolutely unknown to him till adduced by Mr. Smith, and, consequently, never could have been acted upon!—appears to have irritated the local Government to an overstrained and partially construction of motives, and that partly on this account his removal was resolved, though partly perhaps on others—the foundation of which may be easier guessed than proved.

Nor is the hardship confined to this single view of the case. Mr. Harvey undertook the settlement duties voluntarily, and was permitted to do so, because, we say it fearlessly, Government knew there was not, at the moment, an officer available whose thorough acquaintance with the nature of the resumption claims, as they applied to the District of Chittagong, could stand any comparison with his pretension. Now, while thus employed on labors extraneous to his immediate appointment, he neither sought nor claimed remuneration; his ambition being evidently of a higher stamp—a wish to serve his employers from a conscientious feeling of duty on the one hand, and the laudable desire of acquiring their estimation as a public servant of the most untiring zeal and the most persevering fidelity, on the other. Being removed, however, in the unceremonious manner specified, without a chance even of self justification,—a right, as we observed, enjoyed by the poorest criminal—Mr. Harvey, as might be expected from one strong in the consciousness of his own integrity, and stung by the sense of the injustice, if not of the ingratitude, with which his endeavours had been treated, made a strong appeal to the understanding of Lord Auckland, representing therein, in terms at once respectful, frank, manly, and explicit, that in no instance had he deviated from rules, and that although in his communications with Mr. Smith he had adhered strictly to technicalities, he by no means intended to rest his defence upon such feeble basis but that he conceived himself to be acting within the very precincts of his duty, in confining himself to the exact nature of the information sought. Neither does the allegation hold good that the defective notices were one principal cause of the confusion in the district. Mr. Harvey proves unanswerably, that the contrary was the fact, and that “the proclamations were promulgated within a reasonable time previous to the visits they were intended to notify”—and this not merely twice but frequently and immediately preceding the visits of the settling officer. These are not matters of speculation but of fact, on which Mr. Harvey is assuredly better qualified to make

an assertion than the Governor-General himself. The Resolution further states, that the Deputies under Mr. Harvey's orders, “proceeded to attach and settle the lands in anticipation of a decree in favor of Government,”—to which Mr. Harvey objects “such orders were never issued nor such proceedings approved or sanctioned by me.” Here then we have another fact, for which the appellant was, of all parties, the most competent to answer—and the same remark applies to a hazardous observation in the Resolution, that “every case” brought before the special Commissioner was returned for re-trial on the ground of insufficient notice. Mr. Harvey shewing that the said special Commissioner did pass various decrees dismissing the appeals preferred against resumptions effected by the Deputy Collectors and himself. It would naturally be supposed that, when such mistakes were brought home to it, a liberal Government would have been but too happy to recognize the value of a long-trying and applauded servant, and have sought to heal the wound it had providentially caused: but no—as if a Government could never go wrong—the following was the tame rejoinder of the chief authority—a piece of literary mechanism remarkable only for its coldness, and dealt out as a sop to stifle the injured feelings, and repair the assailed character of one whose services had been most repeatedly and flatteringly recorded both here and at home.

“The Governor observes, with satisfaction, that you no longer defend the most serious of those errors with which you were charged, and what you have instead of some of them is rather an apology than a defence. This removes, in a great measure, the objection to your re-employment, which arose from your pertinacity in defending proceedings manifestly unjustifiable.”

“The tenor of these two letters may be taken as a proof that you are not likely to fall into such mistakes again, and his Lordship, acting on that belief, will not now hesitate to re-employ you as soon as opportunity shall offer.”

“No longer defend”—admirable! when the second letter contains not only a defence, but a triumphant one, of the very charge—in the express declaration, that the measures in question were actually unknown to the accused, and neither approved of nor sanctioned by him! But, not only must a Government never stumble, it must not even seem to falter in its path, and, therefore, by a tortuous construction, excellently well adapted to its own purpose, it

assumes what is not granted, and dexterously converts what has sprung from deference into a confession of culpability! And is this the way in which a state should deal with one of its most faithful servants? or the best encouragement it can hold out to the service at large? Is this the fair dealing of an administration which professes to adjust the balance with an even hand between all parties subject to its control? Why, had there been any positive conviction that the charge could have been brought home, Mr. Harvey would have been still an unemployed man, even though "the head and front of his offending had the extent of an error in judgment—and "no more."

We have said that it is difficult to reconcile the proceedings of Government, in the case of Mr. Harvey, with courtesy, good sense or policy. That this assertion has not been lightly urged, it is now our business to shew. To establish the proof, our readers must remember the following circumstances—the very officer who has been thus summarily disposed of, was one, whose recorded good conduct caused his exemption from a general reduction of a salary, and, indeed, induced an increase of it, at the time when, by an order of the Court of Directors, the shears were applied to the pay rolls of all around him. In addition to his own duties, he was voluntarily seeking to merit so flattering a distinction by undertaking an onerous task (without claiming remuneration) of which the nicety was confessed in the following opinion of the Government itself. 'If practicable at all, difficulties almost insurmountable must be encountered in their execution.' While thus engaged, he received an intimation that the Governor of Bengal had deputed a member of the Sudder Board, armed with the full authority of that Board, to visit the scene of his exertions, but without a single syllable as to the purport of that visit: and, as seen by the result, without having access to the final report of the person thus deputed, though from the nature of the enquiries made by that functionary, it was impossible he could be longer blind to the objects of his mission. That this sinister course might be properly followed up, not a charge is formally made, not an explanation demanded, not a defence permitted—but the first intelligence of displeasure reaches him in the shape of an official resolution removing him—not from the appointment voluntarily undertaken, without a charge, but—from his situation as Commissioner of the District? Here we must pause, to remark on the anomaly of the thing, no less than the, to

our thinking, gross injustice of the course adopted. If in any other service a fault is committed, the accused is always protected from these despotic processes, by Regulations which secure to him the measure of a full and fair hearing, and the impartial judgment of his peers. Let us suppose an army case something analogous to the present one—wherein an officer upon the staff has committed himself by some deviation amounting to no more than error in judgment—the worst that could happen to him would be, privation of the particular appointment, in exercising the duties of which an erroneous judgment was apparent; but, surely, not a suspension from service altogether, affecting both position and character. He would have the consolation of knowing that even thus much had not occurred, without a perfect opportunity for justifying and defending himself; and that he could not be liable to any punishment, till the complaint laid against him was thoroughly sifted by a competent tribunal, before which he would be duly cited, and where he would be openly confronted with his accuser. He would, at least, enjoy the privilege of a Briton, and not, unheard, be compelled to suffer condemnation. How stood the case with Mr. Harvey? Did he experience the consideration of a Government that had frequently marked its approbation of his services? Were those services cast into the balance to mitigate the rigour it chose to manifest? No—not an item of forbearance is shewn—by-gone transactions are raked up for that purpose of establishing fault wherever its establishment might be possible, and all that gubernatorial authority could inflict, short of absolute dismissal, is cast upon him, as if the extremity of the visitation could cover the measure of its harshness, or become the apology for its adoption! Mr. Harvey fell under the displeasure of his superiors from alleged errors in the exercise of a voluntary and unpaid duty. Admitting, (which no one who, being unbiassed, reads the memorial and correspondence can admit) that these allegations were well founded, would it not have been more accordant with the spirit of a paternal administration, remembering the nature of the offence, the long and excellent service of the inculpated party, and the known ability and integrity of the man, to have admonished, or at the most, to have relieved him from a duty, in the execution of which he had unhappily offended, and so confined his operations to the specific appointment which he otherwise held, and for which his qualification—proved by previous trial—had already and repeatedly been recorded? Would not such a course have

been more encouraging to the whole Civil Service, and in that sense, more allied to the true interests of the State ?

Let us now proceed with our examination. We have already touched upon the absurdity of making one officer responsible for the commissions of another; but it must also be added, as no mean instance of the want of reflection with which the resolution was carried into effect, or the extravagant heedlessness with which the imputation was cast, that, had the proper course been pursued, Mr Harvey was prepared to illustrate the utter worthlessness of the charge by a clear denial of any knowledge regarding the act ascribed, till made acquainted with it by the departed member of the Board. He neither knew of, nor had seen, and of course could not, therefore, have sanctioned or defended, the act of Mr. Dampier. This, too, he emphatically states, in his correspondence with the judicial Secretary on the unjustifiable hardship of his removal. It is not attempted to deny so matter-of-fact an assertion—which, undoubtedly, if it could, would have been done; but alas! neither has so strong a refutation the least chance of wiping off a stigma, where, judging from the color of the whole transaction, it was predetermined that no defence should be admitted!

We shall not place much stress upon the nomination of the Officers appointed to succeed Mr. Harvey in the settlement of resumption suits; because, his removal once decided upon, Government was at liberty to appoint whomsoever it pleased; but we cannot pass over, sub silentio, the glaring inconsistency that goes hand in hand with the circumstance. The reason given for retaining Mr. Harvey in the first instance was, that his continued services at Chittagong were "essential to the best interests of Government," and the success of the operations entrusted to him "closely identified with his own reputation"—his Lordship would, therefore, regard his "withdrawing from a field, where his experience and service were of such value, as a real public misfortune." This opinion was further supplied by the Board of Revenue, on the occasion of Mr. Harvey's volunteering his labor in the settlement of the suits—when it reported to the Governor in 1838, that it "knew his (Mr. H.'s) manner of conducting business," and looked to a favorable result as the assured consequence of his employment. Here, then, we find that local knowledge (experience) is deemed the first requisite; but, certainly, there was a very positive change in the tone of that reflec-

tion, which caused the nomination of Mr. Ricketts as Special Commissioner, just upon his return from a two years' residence in England, and Mr. T. C. Scott, as the settlement officer in Zillah Chittagong, "after a furlough of three years' duration, neither officer having ever been before employed in the Chittagong district!" If local experience was of such vast importance in unravelling and adjusting cases so difficult, as that even the authorities regarded them as "almost insurmountable"—and that it was, who shall doubt—how happens it that in these nominations the want was so entirely overlooked? The fact must be, that local experience sounded very well, just so long as it suited a purpose in retaining it, but was comparatively valueless, when it was resolved to get rid of Mr. Harvey. We should be loath to impute design in this; but, to our simple sense, it has a very awkward appearance about it.

We now come to what we deem the worst feature in the whole case. The act to which we allude may not have been directly that of Government; but as it does not appear to have been rebuked, we take it for granted, that the perpetrator is borne out by the tacit consent of his superiors; and, truly, view it how we may, we must broadly denounce the system—if in like circumstances, system it be,—as the most flagitious and the most pregnant with mischief, that ever crept into the practice of a state—and we have heard of an instance not unsimilar nearer our doors. Mr. Smith, on his arrival at Chittagong, "invited petitions (to be written on plain paper) from all parties who had any complaints to make against any of the acts of Mr. Harvey. Leaving aside the informality of not requiring stamps, and thereby encouraging every petty petition which discontent might produce,—let any man, in the least degree conversant with the profligate habits of the natives—notoriously demoralized, as for the most part they are, in all their dealings—honestly say, if he can, that this was a commonly fair course to have pursued. An officer, delegated to make inquiry into the conduct of a subordinate, commences his task by opening the door to conspiracies amongst a race but feebly restrained by moral ties, while yet the supposed delinquent is ignorant of an accusation, and is so far taken unawares (in itself a most ungenerous step), and where it was quite impossible that the inviter could misconceive the effect of his call upon those who might naturally feel irritated by dispossession, and would readily combine, or trump up fabrications, however idle, to

set aside the officer who had been the cause of their privation. Why was it not directly announced to Mr. Harvey, that he was accused of such and such deviations? Why was he not directed to prepare himself to meet them? Why were the stamps neglected, if the Government, under whose primal order Mr. Smith was deputed, had intended to act honorably by the defendant, whose claim upon its tenderness was doubled by the difficulty of his task, and the high character he had already attained? What the nature of these accusations were to be, was surely known to the Governor *a priori*, for their underhanded existence must have proved the foundation of Mr. Smith's mission. And was a servant, of tried integrity and approved conduct, to be lightly thrust aside on every loose representation, preferred probably through envious and foul channels, without one effort to warn him of his danger—one wish to put him on the right path—on the part of those for whom he had so long and so zealously labored? If such a system obtains, farewell to the security of every one belonging to the Civil service of the Company. None can say on whose door the blow may not next rest—for when was villainy ever wanting to frame the injurious lie, where opportunity was offered for its promulgation, and self-interest prompted had men to apply it? Thank Heaven, the other services are better shielded; and this is much gained, where the capability of resorting to such a discreditable resolution is manifest. We know the peculiarities of the Indian Governments often place them in, comparatively, false positions—it is a fault in their constitution, that regulated by the circumstances under which they exist, must not be scanned too closely: but this wanton, cold hearted indifference to the welfare of admitted excellence, is an indelible reproach—the greater, because the act is spontaneous—uncreated by the force of events—and wholly discordant with the generosity that every man, anxious to perform his duty, has a right to look for from those, whom he is taught to believe are his protectors from calumny and falsehood. In the undignified procedure of the Governor-General we can neither trace TO KAAON, TO HIPENON, or TO XPHΣIMON.

We have by no means exhausted the subject, and we invite our contemporaries to discuss it further: we have said sufficient to awaken attention, and we trust our tone has not laid us open to the suspicion of having animadverted on this case in any improperly hostile spirit to the Government. We saw,

as we believed, gross injustice, and we felt bound to expose it.—*Calcutta Star, Sept. 11.*

With some difficulty we have obtained a copy of Mr Harvey's Memorial, addressed to Government, relative to his removal from Chittagong, and are extremely surprized to find that our contemporaries, the *Calcutta Star* and the *Hurkaru*, have formed their judgments upon its merits upon that document alone. They cannot even have seen the Appendices, for these we find, are not yet finished printing.

Now we certainly think that this was being somewhat precipitate, because every Memorialist, let him be the most honorable man breathing, cannot avoid giving a favorable tint even to a plain narrative of facts, and much more to conclusions drawn from them. We shall not adopt this somewhat too hasty course; but will endeavour to learn what is urged on the other side of the question; at all events we will look at the proofs adduced by the complainant before we form our opinion.

At present, if we allowed ourselves to be actuated by private feeling, we should give our voice in favor of Mr. Harvey, who, we have every reason to believe, has been a zealous Government servant, but when charges are brought against the Government that they have oppressed and visited with injustice such a servant—nay, the very fact that they have removed him from their active service, is enough to make us pause and enquire before we condemn. In a few days we hope to be able to return to the subject, and we promise our readers they shall have the reasons for our judgment, whichever way it inclines.—*Calcutta Courier, Sept. 3.*

We hoped to have been enabled to-day to have detailed our opinion upon Mr. Harvey's case, but having failed in our endeavors to obtain a perusal of the Appendices, that is, of the authorities on which the statements in that gentleman's "Memorial" are founded, our hope and intention have been frustrated, for we will not give a judgment merely upon an advocate's statement, even though we can see enough in that on which to ground some questions perhaps difficult to be answered by the most ingenious of Mr.

Harvey's defenders. However, unless we are enabled to peruse the documents in question we must avoid discussing the subject.

That Mr. Harvey has been a most zealous Government officer, admits of no doubt, but how far he has been a guardian of the people's rights is another question, and to judge of this we wish for further information. If he did not guard those rights as strictly, or more strictly, than he advanced the interests of the Supreme Power, he was unworthy to hold the Commissionership of Chittagong, and Government would have failed in its duty in not removing him from a station he could not have retained without being mistrusted by the ryots. But, as we have already said, we have not the requisite evidence and, therefore, must leave it a vexata questio as far as we are concerned. We leave it, however, without any anxiety as to the result, for we are quite sure that Mr. Harvey will have a full measure of justice afforded. His case is gone home to be adjudged by the highest official tribunal, who will not be influenced by any local prejudices, and who will know that if Mr. Harvey has erred, it has been from an anxiety to promote Governmental interests, which, we think, will not incline them from mercy. There is an observation made by one of Mr. Harvey's advocates which we may condemn, because it involves a question of general interest perfectly distinct from Mr. Harvey's case. It is complained, that when Mr. C. W. Smith visited Chittagong for the expressed purpose of inquiring relative to the complaints which had reached the ears of Government, this gentleman invited the ryots to bring their complaints before him upon plain,—i. e. unstamped paper—tous, it is said, encouraging the production of complaints from those who are always too ready to bring forward the most trivial grievances. Now to this there is a very awkward answer, viz., that by a Special Government Regulation (if we remember right No. X. of 1845) all petitions relative to Settlement matters be on unstamped paper. But had it been otherwise, had there been such Regulation, is it a cause for condemnation of a judge whose character is above suspicion, and who no one ventures to say was actuated by one sinister motive, that he gave facility to the complainant to make known their grievances? Would he not have been an unjust Commissioner of Enquiry if he had not removed, as far as him lay, every difficulty from before those who had grievances to allege? They complained that Government

had been taxing them unjustly, and would it have been right to have made every complainant pay another tax to have the opportunity of obtaining relief? We think Government, under the circumstances of the poverty of the ryots and the small extent of the tene-ments, would have justified the Commissioner even if he had suspended a Regulation that such petitions must be on stamped paper. —*Calcutta Courier, September 7.*

The *Courier* is unfortunate: it is extremely anxious to discuss Mr. Harvey's case, but it cannot get hold of the Appendices, and the Editor will not give a judgment merely upon an Advocate's statement, even though we can see enough in that on which to ground some questions, perhaps difficult to be answered by the most ingenious of Mr. Harvey's defenders. As the *Lucknow* has written some twenty or twenty-five lines on the subject, it is just possible he may be the party alluded to, but if we be alluded to as the advocate of Mr. Harvey, we beg politely to say the *Courier* lies under a mistake. We are not the advocate of Mr. Harvey, but the advocate of his cause, which we consider the cause of every member of the Company's Service: we advocate right against might, and we care not a button whether the parties be high or low, rich or poor, covenanted or uncovenanted. When we wrote our articles on this case, we had never seen Mr. Harvey, and—we hope our chief, as the *Courier* makes him, will not be offended—had never heard of him till he was appointed the other day acting Post Master General. A friend put the memorial into our hands, (we do not believe he has ever seen the Memorialist,) and asked us to look it over: we did so, and considered it disclosed a case of very gross oppression. The Appendices in our opinion are neither repugnant to Mr. Harvey's facts, nor destructive of our inferences. We do not care, as public journalists, that Mr. Harvey has been individually wronged, though we give that sympathy it is always some satisfaction to receive when suffering wrong, but we do care for the tyrannical system under which, whether right or wrong, he suffers; and we say the day ought to have gone by, in which a public officer can be fined and disgraced without a hearing being allowed him, or even without specific charges being brought forward. That, 'sending home' system is very disgraceful, or, lest we should lose the character we so generally share with the *Friend of India* for temperance, we will say it is very unfair. The Government

here communicated with the Government there, and tells its own story, and it may, perhaps, communicate what it understands the suspended one says, but what of this, when the man does not know, and can only surmise the charge brought against him? Why should it not be specific here, why should not the defence in detail go home with the charge and the evidence, and let the Directors be a competent Court of Appeal, which they are not, if any of the Members are previously misled by ex-parte and imperfect statements. Under the present system an accused party has to enter into a general vindication rather than a special one and can only hope, and his friends for him, that he may have substantiated met a mysterious indictment.—*Calcutta Star, Sept. 8.*

Since we last noticed Mr. Harvey's case, we have been favored with a copy of nearly all the Appendices to his Memorial, and we feel it incumbent upon us to revert to the subject, not only because we gave an implied promise to state our judgment as soon as we had seen these documents, but because it involves a question interesting to the whole Civil Service and a charge against Government, of having acted severely and unjustly towards an old and efficient servant.

We have read the Resolution of the Council; we have read Mr. Harvey's three letters, addressed to Government, commenting upon that Resolution; and we have read again Mr. Harvey's Memorial, and we regret to have to say, after weighing the whole, that we think Government would have failed in its duty if it had acted otherwise than it has done. This is no prejudiced conclusion; our judgment may be wrong, but we come to it with our prejudices all in opposition to the conclusion at which we have arrived, and, after making every possible allowance, which allowances in mitigation of punishment we will set forth before we conclude. We will throw out of consideration altogether Mr. Harvey's conduct with respect to the settlements which he arranged; and of his conduct connected with the Resumptions; we will pass by all the charges which have been even partially explained; and we will rest upon two or three broad facts connected with one transaction only, which appear to us fully to justify this conclusion of the Government. "There is clear proof that in the Resumption Department there have been committed, through recalcitancy and want of consideration for the

people, errors of a grave and serious nature, involving lamentable injustice to the people and great discredit to the administration."

Now the first fact justifying this decision is, that nearly all the Lakhiraj suits decided by Mr. Harvey down to the time of Mr. C. W. Smith's visit to Chittagong, had been decided ex parte in favor of Government, and preceded by other illegalities. These suits amounted to no fewer in number than 14,855.

In the first place, the preceding notices were illegal. Clause 4, s. 5 Regulation IX. of 1825, provides, that after the Collector, having previously issued a notification of his intended proceedings, shall have commenced operations and proposes—

"To hear the claims of persons holding lands free of assessment or at a fixed Jumma, and to receive their sunnuds and other writings as aforesaid, or any of them, the period fixed in the notification for the attendance of such parties being arrived, he shall on the day preceding that on which he may intend to hold proceedings in the said cases, or any of them, notify such intention by an ishtahar stuck up in his office, and in some place open to the public within the Mehals."

Now the notices, it is admitted, were not issued by the proper officers; it is admitted that the notices were not stuck up in the manner, nor at the time specified—and they were not as stuck up in the Mehals at all. We have read what Mr. Harvey urges in defence of this proceeding, that he obeyed the letter of the law, because there is Naobad land scattered throughout Chittagong, and that as all Nao'ad land belongs to the Nao'bad Mehals, therefore, twenty-four notices, one in each of the Deputy-Collectors' Circles, was quite enough, though stuck up twelve months before the time of trial, and though this Mehals was scattered through a district 120 miles long and 25 miles broad; we have read this, and we have read that he said it was only necessary to preserve "the forms of justice;" and we have read and admit as probable, that the proceedings were going on was notorious; and that when proceedings were not pursued in a district as announced, the notice was stuck up in the Cutcherries the next season.—We say we have read all this, and what does it amount to? Why to this, that Mr. Harvey took upon himself, not only to disregard the letter, but the spirit of the law. That law he must know—any does know—was intended

to secure, with all possible certainty, to the landed proprietor a notice that the title to his estate was to be called in question—to give him time to prepare his evidences, to secure to him that he shall have an opportunity to be heard. Yet Mr. Harvey, instead of acting up to the letter of that law, and much more oblivious of its spirit, gave notices less in number and less in notoriety than the law required. We care not that Mr. Harvey had pre-judged every case by having made up his mind that “the rent free titles in Chittagong rest almost universally upon the simple entry of the lands as Lakhiraj in the Chittas of 1126,” and that this title has been adjudged insufficient by every Court—for admitting that nine out of every ten proprietors had those titles only, yet this was not to be assumed by the judge against any one, but those nine were entitled to be heard, and much more was the tenth entitled to shew cause why he should be exempted from the general and sweeping condemnation. Until each case was heard no man could say what was the evidence to be advanced in favor of the title, and it is worse than idle to say “that the deliberate trial of thousands of titles, each of which is known before hand to be rotten, is at the best but a solemn mockery!” Such forehand knowledge could not exist.

Such a pre-judging, such a claim to perfect knowledge of the titles of nearly 15,000 tenements, would be totally inadmissible upon the broad principles of universal justice; and it is still more indefensible when perpetrated in defiance of the express words of Regulation IX. 1825, s. 5, cl. 5. This, with that just regard for the rights of property which distinguish an equitable from a tyrannical government, provides that, though the Lakhirajdar be absent, yet the Collector shall investigate the title, as far as practicable, as if he were present. This was totally disregarded in 14,500 out of 14,855 tenures, and the whole were at one fell swoop resumed. The consequences are thus told by the Government Resolution:—

“It is certain, therefore, that all these resumption decrees are of non effect, that all collections made under them, with interest, must be refunded (over and above the refunds already ordered) and that no further collections can be made in any of the Mehal concerned, until six months after another and a legal and final decree for Government shall have been passed regarding them.”

By Circular Orders (22d Feb. 1831 and 26th July 1830,) it is directed that the occupant of Lakhiraj lands shall be left in possession for six months after the final decree of

Resumption, or have, instead, a gratuity given equal to six months' rent. Mr Harvey seems to admit (p. xxxii.) that this was attended to only in some instances, but that is not the worst feature of the case, for the following charge of concealment, and of pleading for severity against the ryots, is, as far as we can see, totally unnoticed and undenied:—

“Mr Harvey in August 1828, proposed to the Board to withdraw from the Chittagong Lakhirajdars the indulgence of six months' grace (without stating that he had already withdrawn it) and he alleged as a ground for his proposition, not the reason now given, but merely that it was a convenient plan. The Board in their reply of the following September, expressly prohibited the ~~proposition~~, and Mr Harvey reported that he had all along practised it, nor made any alteration in his practice.”

Now, upon this one transaction—upon this one charge, and we have two or three others untouched, we are willing to rest our opinion, that Government have acted wisely and justly in marking Mr. Harvey's conduct with their heavy displeasure. It is true—not fully true—that there was no sordid motive from whence this course of injustice sprang; but what excuse is it for a judge to say—“I acted oppressively, but I was not bribed to act thus wrongfully”? To urge that there was no peculation is only to say that Mr. Harvey's conduct might have been worse. Mr. Smith spoke of this conduct in the mildest terms that are applicable, when he said “there has been far too great a desire to hurry on proceedings, and get revenue, than calmly and judiciously to dispose of the rights and interests of the parties concerned.” Such desire so allowed to operate gave birth to the illegality, the injustice, and the severity we have noticed, and which certainly called aloud for a punishment more severe than mere removal from Chittagong to another district.

Having expressed our calm conviction on this painful subject, we turn with pleasure to the more grateful part of our duty—that of expressing our high estimate of Mr. Harvey's services as a Government official. For eighteen years he has devoted his energies to that service, energies of exceeding power, and exercised them, without a suspicion being cast upon his integrity. His physical powers have enabled him to go through long-continued duties and labours, and at seasons, when even natives could not withstand, and for which they accounted among themselves, by declaring he was a Jin! Gifted with such physical strength

he did not husband it, but gave it forth without even caution, to serve the Government, so that even his powers failed more than once and subjected him to dangerous illnesses. Then, in considering his conduct, it should not be forgotten, that when he was first placed at Chittagong, it was to carry out wishes and intentions not so liberal and just as those which now actuate the Government, and it is mitigatory though not exculpatory, that he commenced his Resumption duties, schooled not to give the people's scale a favourable turn. The present visitation most probably has imparted a lesson, not to be forgotten, that other feelings now actuate our Councils, and we hope to see Mr. Harvey soon again in office, an event we have heard that is likely to be accelerated by movements consequent upon the death of Mr. David Carmichael Smyth. —*Cal. Courier, Sept. 14.*

Our correspondent JONAUB ALI has done the cause he advocates no good, and we can assure him that if we had consulted our own wishes on the subject, we should have declined inserting his letter; but having recorded our opinion, we feel that we should be liable to the charge of partiality if we refused to insert the contrary opinions of others on the same subject.

Our correspondent, in his first paragraph, attributes to us the words of the Government Resolution, but as we adopt the judgment it gives let this pass. We never saw that because a case is decided ex parte that of necessity the decision is illegal, but we do say that if it be decided without the previous notices required by the Regulations, and without any examination at all, it is illegal beyond question. Now in this predicament stand not only one but 11,300 of Mr. Harvey's Resumption decisions. If the 8-10ths of the Resumption cases in Bengal have been similarly decided, then we unhesitatingly say that they have been decided illegally; but we think our correspondent has not considered that the merely deciding ex-parte does not constitute illegality.

Our correspondent says that he is at a loss to know where we find that Mr. Harvey confesses that the notices were not given legally; but he will perceive that we were right in so stating, when we again observe, as we did in our former editorial, that Mr. Harvey acknowledges that the notices were stuck up in the Deputy Collector's Cutcheries only. That these were sufficient, according to Regulation IX. of 1825, we hope our correspondent will not contend, though it is quite permissible for Mr. Harvey to do so as the defendant.

We think it possible, as said by JONAUB ALI, that the Government may have required in some districts that a certain number of cases may be disposed of in a season; but how many? was it to secure diligence on the part of the Deputy Collectors? was it in Chittagong? and were the notices preceding the decisions illegal, and the decisions arrived at without any examination?

In the concluding sentence of his letter, our correspondent shows that he does not remember what we did say, for we mentioned the fact, of Mr. Harvey's having commenced operations when the intentions of the Government were not so liberal as they now are, as admissible in mitigation of punishment, and if our correspondent contends that it is more, he maintains a principle of which we think he does not perceive the consequence. Is a judge to be exculpated for acting in defiance of laws and regulations, because it will be acceptable to those who appoint him? Our correspondent states the question quite erroneously when he intimates that Mr. Harvey acted only up to the letter of the Law — if he had done no less he would have been blameless — but he did much less, for he acted without sufficient regard to its directions, and that not on the side of indulgence and equity to the people.

We do not wish to renew the subject, for it is a painful one, and our correspondent will act discreetly if he does not proceed further in his agitation. If he is in the Civil Service, he may rest assured that if he acts up even to the letter of the Regulations he will not be liable to be brought before the judgement seat; but at the same time we hope his own feelings go in unison with our recommendation, when we advise, that if a doubt does exist in any case, that the decision be given in favor of the poor ryot whose title to his lands is in jeopardy. Do not let the judge be sedulous to confiscate, nor apply to the Government to be more severe rather than more lenient. —*Cal. Courier, Sept. 18.*

To the Editor of the Calcutta Courier.

SIR,—In your editorial remarks on Mr. Harvey's case, you assert that there is clear proof that in the Resumption Department, there have been committed (through Mr. Harvey's) precipitancy and want of consideration for the people, errors of a grave and serious nature, involving lamentable injustice to the people and great discredit to the administration; and state that you are justified in this decision, because no fewer than 11,855 Resumption cases have been

decided *ex parte* during Mr Harvey's administration.

I never knew that because a case was decided *ex parte* it must of necessity be deemed illegal. This is a doctrine which, if upheld, would annul not a few of the decisions passed by the Officers in the Resumption Department, and tend to disorganize the whole of their proceedings, for proof can be adduced that 8-10ths of the Resumption cases in Bengal have been decided *ex parte*. You proceeded to state "that it is admitted by Mr. Harvey, that the requisite notice under Regulation IX. of 1825, were not issued by the proper Officers, that such notices were not stuck up in the manner, nor at the time specified, and that they were not so stuck up at all." From whence you have gathered this admission I am at a loss to determine? for you say that Mr. Harvey in his defence urges that he obeyed the letter of the law in this proceeding! how can this be? Of course it is easy to deal in general invectives and lay the onus of a blame on a party who has been singled out from among the many who are to blame; for that the acts of Government are somewhat reprehensible in these Resumption Suits, nobody will attempt to deny.

Mr. Harvey is said to have been actuated by far too great a desire to hurry on proceedings and to get revenue, than calmly and

judicially to dispose of the rights and interests of the parties concerned; but what will be said when I tell you that in more Districts than one, the Government made it a sine qua non that a certain number of cases should be disposed of within a given time; hence the number of *ex parte* decisions. If any one is to blame for this, it must be the Government alone, for they were monthly, quarterly and annually informed of the number and extent of these *ex parte* decisions, and it would have been better to have checked the evil at its growth, than to have allowed it to finish its course, and then turned round to find fault.

In your review of this case you admit that the wishes and intentions of Government were not so liberal as they are at present, and yet deny that they are exculpatory of Mr. Harvey's proceedings at Chittagong. I maintain that this circumstance alone will fully justify him in the eyes of all impartial men, and that with no other defence to support him. It would be strange and singular indeed to reprehend one who has acted up to the letter of the law? where would be security of the Officer if such a doctrine was allowed? he would never be safe from the machinations of his enemies. If the laws are rigid and mystified, relax and simplify them, but do not make it reprehensible to act up to them.

JONAUB ALI.

Calcutta Courier, September 18.

AGRI-HORTICULTURAL SOCIETY—CAPT. CHARLTON'S CASE.

There was a very full attendance at the Agricultural Society's Rooms this morning, but we shall pass over for the present the usual routine of business and come at once to the chief object of attraction—the statement of Dr. Wallich in answer to the letter of Captain Charlton claiming to be the discoverer of the Tea Plant in Upper Assam. This statement will appear in our paper to-morrow, but we must record that it was the opinion of the entire meeting that it was most satisfactory. It shewed from documents that Mr. David Scott was in possession of the Tea Plant and wrote of it as such, as far back as 1826; and that Major Bruce, brother of Mr. Bruce, gives directions in this "Agricultural Calendar for Assam," published in the third volume of the Society's Transactions (p. 69), that in September and October "Tea Plants and Seeds" should be collected. Now Major Bruce died in 1825 and Captain Charlton was not in Assam until 1831. The statement

also shewed that the letter alleged to be suppressed, was a letter written to the Government Committee by Dr. Wallich as its Secretary, circulated with papers which accompanied it, and that such letters were never published. So far from suppressing it Dr. Wallich, exceeded his duty by furnishing Captain Charlton with a copy of it; and by an application to the Governor-General on his behalf, shewed the strength of his friendly feeling towards the Captain. At the conclusion of the reading of the statement.

Dr. Corbyn said that he was highly gratified at the satisfactory explanation thus given by Dr. Wallich, and that his only object in agitating the question was, to obtain due encouragement to every man of science. Captain Charlton must be gratified by the honorable testimony borne to his merit by such a first authority as Dr. Wallich in his letter recommending him to the notice of the Government.

Dr. Wallich's statement; however, shows that Captain Charlton was the first to send the seeds of the Tea Plant to Dr. Wallich, by which he was enabled to determine positively that the Tea Plant really existed in Assam. It had formerly been hid under a bushel, but Captain Charlton was the instrument in proving it to be real Tea Plant, and thus enabling it to be published to the world. On this ground he moved that the Society award to Captain Charlton its Gold Medal. Subsequently, as more regular, Dr. Corbyu gave notice that at the next meeting he should move that—

Captain Charlton's being the first to establish to the satisfaction of the Tea Committee and the Society that the Tea tree was indigenous in Assam, which fact was brought forward in the proceedings of this Society published in the Government Gazette of 1832, that a Gold Medal be presented to that officer in acknowledgment of the same.

Dr. J. Grant said he could not second Dr. Corbyu's proposal, because it was premature, and he had learned much from the statement just read, which was unknown to him before. He had never for a moment entertained any suspicions that Dr. Wallich was actuated by a wrong motive, but he thought he had erred in stating that Mr. Bruce was the first to publish the discovery. It was now established that Mr. David Scott had the plant in 1826, but the evidence was not satisfactory as to Mr. Bruce's claim—and it was acknowledged that Captain Charlton had given the means to establish that the Tea Plant of Assam is identical with the Tea Plant of China.

Mr. Johnson said that he must express his own feeling, and he was sure that it was that of the whole meeting, that Dr. Wallich's statement was most satisfactory. He should oppose the proposed grant of the Society's Medal, because such could be due to the discoverer only, and this Captain Charlton himself acknowledged he was not. Mr. D. Scott and Mr. Bruce had long before discovered it, and the fault was not theirs if the discovery was not at the time duly appreciated.

Sir E. Ryan said he should not have addressed the meeting, if his opinion had not been quoted and published as going to a length to which it did not extend. Previous to the last meeting of the Society, Captain Charlton had called upon him, and he had perused the papers that gentleman placed before him; from those he concluded that Captain Charlton, if uncontradicted, had established that his communication was the first to make the discovery publicly known—but he (Sir E. Ryan)

had never said that he (Capt. C.) had established his title to the discovery—it would have been presumptuous for him to have so let himself be misinterpreted. Dr. Grant had disavowed that he intended to cast any aspersions upon Dr. Wallich, but Captain Charlton, in his letter, intimated that he had suppressed a letter—this had been most satisfactorily shewn to be not the case; but, on the contrary, Dr. Wallich had shewn himself to have acted most fairly and most kindly to Captain Charlton. If he (Sir E. Ryan) was present at the next meeting, he should oppose the grant of a Medal to Captain Charlton, as it was shewed beyond dispute that the Tea Plant was known to four Gentlemen before 1832, though whether the discovery was published is unknown. Captain Charlton, in his letter, makes no allusion to the services of others, though they must have been known to him, and he owns that he was not the discoverer.

Dr. Wallich briefly thanked the Society for the attention with which they had listened to his explanation; and we must not omit to observe that the gentlemanly tone of the Doctor's statement, and the total absence of anything like asperity was worthy of a man conscious of his integrity.

Mr. O'Haulon shortly spoke, to the effect that the suppression of the letter had not been satisfactorily explained.

Mr. C. K. Robison, as a member of the Tea Committee, said, that if that letter had been published Dr. Wallich would have been guilty of a breach of duty. Hundreds of such notes from the Secretary were circulated with papers, but were never published—they were merely private communications to the committee. Dr. Wallich had kindly supplied Captain Charlton with a private copy, which was even more than he was strictly entitled to receive.

Major Carter, after alluding to the former case of Mr. Griffiths, complained of the Society's time being occupied by these discussions between individuals; and hoped this would be the last instance.

Mr. H. Piddington agreed in this hope, and said there was another relative to the Dinajpore garden, which was a warning. In that case the gentleman who thought himself aggrieved, had talked them all out of the room. The public paper and journals were open to such subjects.

Sir E. Ryan said he was sure the Society would do him the justice to acknowledge that he had always endeavored to have such discussions avoided. In the present instance,

it was irregular when brought to the Society's notice before, and Society had then avoided taking part in the dispute, and to-day they had received and heard the statement of Dr. Wallich, which statement would be published, because it was an equity due to him after having heard, and published Captain Charlton's letter. The question whether a Gold Medal should be granted to Captain Charlton would come before the Society regularly. As to the case of Mr. Griffiths, which had been alluded to, that was one which the Society could not avoid, because a charge was brought against one of its Committees.

The Meeting then broke *Calcutta*
Courier, Aug. 11.

The meeting of the Agricultural Society yesterday morning was not as numerously attended as we should have expected, considering that Dr. Wallich's explanation was looked for touching the Assam Tea affair, and the injustice charged upon him with reference to Captain Charlton's claim to be considered the discoverer of its indiginity in Assam. We expressed our opinion on a former occasion on some points extra the main ones, and which were that Captain Charlton had a right to be heard by the Society, and that Dr. Wallich was bound to explain; that the question in dispute was one that the Society might discuss with out straying at all from its province. So we thought then, and so we think still, but simply on this ground, that Dr. Wallich had been mixed up in the affair as Secretary to the Tea Committee and as vice President of the Society, and that the Society, was concerned, and very materially, in the official conduct of its officers, and that, supposing him to have done wrong, its character was at stake, and would be compromised by any show of disinclination to have the subject matter of complaint looked into. The society declined a Committee upon the subject, and Dr. Wallich declined to explain to Captain Charlton, but he has thought fit to explain to the Society, and after attending to the mass of papers read by the Secretary as his defence, for such in reality they amounted to, we are bound to say, and we are most happy to say, that we consider it entirely satisfactory. We do not think the Doctor has done Captain Charlton any wrong, and we are sure he never contemplated it—indeed more honourable and earnest testimony was never borne by one man to the merits of another, than Dr. Wallich's to Captain Charlton's, on every occasion

on which he thought he might be able to serve him. It is with unfeigned pleasure we say it is; hardly less for the honour of science than for the exculpation of individual character from the reproach of unworthy motives.

The papers read for Dr. Wallich, proved clearly that Captain Charlton was not the discoverer, as is proved by Captain Charlton's own admission; they prove also, as we have said, that Dr. Wallich has never been insensible to Captain Charlton's deserts; here indeed, again, that gentleman's grateful acknowledgements put the matter beyond question; but as to who was the discoverer of the Tea Plant in Assam, they, in our opinion, prove nothing. We apprehend that Dr. Wallich knows nothing upon this point, and we, therefore, do not reproach him for not telling us. If we are to take as the discoverer the first person, who, as far as we know, ever spoke upon the subject, we must give the credit to Mr. Scott; but as Sir Edward Ryan said—to-morrow or the day after some new claimant may come forward with statements and facts of which we have never yet heard. No one can pretend for a moment that the claim of original discovery could be substantiated for Mr. Bruce, or Major Bruce or Captain Jenkins. The evidence which disproves Captain Charlton having discovered the plant in Assam, proves indisputably that he, of all, has made the most valuable use of his knowledge, and that what has been done since 1831, has been mainly owing to his researches and unwearied exertions. We do not hesitate to say that he is entitled to fifty-fold the merit of the man, be he who he might, to whom accident or research made known the fact that the Tea plant of China was indigenous in Assam. We cordially agree with Dr. John Grant, who spoke well to this point, that telling a discovery to this person or that, or even confiding it to a Society, is doing comparatively little; and, indeed, let us test the matter in this simple way—what had we gained up to 1831, supposing the existence of the plant was known to Europeans, as it would appear to have been, fifteen or twenty years before?

Dr. Corbyn gave notice of a motion, to the effect that a gold medal should be presented by the society to Captain Charlton, and in this he shall have our cordial support. Mr. Johnson spoke and intimated his intention of opposing this proposition, on grounds which have exceeding novelty to recommend them, viz, that medals are not usually given to any but discoverers, and that

it was clear Captain Charlton was not a discoverer. The distinguished Member forgot (to say nothing of a few thousand other instances) that Mr. Bruce had received a medal at home, and that it is quite clear he was no more a discoverer than Captain Charlton. Sir Edward Ryan, as we think, equally prematurely, expressed himself unfavourable to the proposition. The Subject was not under discussion; the President had pointed out to Dr. Corbyn that the rules of the Society required that the proposition should be on notice, and that it must stand for the next Meeting, and under these circumstances we do not think any Member should have spoken adversely, as they might prejudice, and could not serve, the object of the mover. Sir E. Ryan, however, mentioned, that it was possible he might not attend the next meeting. The worthy President also took the opportunity of saying that opinion he had formerly expressed, had gone abroad in a way calculated to create an impression that he had presumed to pre-judge the question of priority of discovery with regard to the Tea Plant in Assam; he had certainly intimated his opinion in favor of Captain Charlton's claim, but it was simply on the papers then before him: looking at what was now before the Meeting there could be no pretence for saying that the tea plant was not known in Assam, long before Captain Charlton went there.—*Calcutta Star, Aug. 12.*

The Meeting of the Agricultural Society yesterday morning was very numerously attended. After the current business was over, some capital samples of Indian Flax, valued at £50 £55 and even £60 a ton in London, were submitted, and a letter from Government read, requesting all the information which the Society could afford on the subject of Flax. The meeting then passed to the hearing of Dr. Wallich's reply to Capt. Charlton's charges made at the former meeting.

A very long and closely detailed statement was read, in which it was stated, that as to the suppression of the letter principally complained of, it was but a circular to the Tea Committee, and one of many, of which in strictness no copies should have been given; letters were read from Capt. Charlton of March 1835, disclaiming the discovery of the tea plant, but claiming the having established it by obtaining the seeds, and it appeared that as early as 1825 Mr. Scott sent down to the garden seeds and leaves, and, especially, seeds with the peculiarly marked trilocular capsule, which distinguishes the Teas from

the Camellias. Seeds of this kind were again sent by a chief; and in 1826 or 27 a box, in which were some plants, to the Botanic Garden, but we did not understand how all this evidence being in Doctor Wallich's hands at that early date, he could have afterwards had doubts about the existence of the true tea in Assam, at the time of the formation, and for a long period during the existence, of the Tea Committee. It appeared also, that, with reference to the claims of the Messrs. Bruce, Major Bruce gave a musical snuff box for the first two Plants brought to him, after which a canoe full of them was brought down. A letter was also read from Major Wilcox now at Lucknow, stating that Mr. Scott certainly knew of the existence of the Tea plant in 1825, and, that its existence was generally notorious in the station in 1825 26 and 27. With respect then to the discovery the matter was wholly at rest. The question of the prior publication and confirmation of the discovery remains yet in abeyance, and Dr. Corbyn gave notice of a resolution to award a gold medal to Captain Charlton, which, by the rules of the Society, will come on at the next meeting. Dr. Grant spoke in support of Captain Charlton's claims, and Mr. Johnson as opposing the grant of the medal, which last point was wholly premature, inasmuch as the matter could not then be discussed. The President observed, that with reference to the opinion expressed by him at the former meeting, he had then most guardedly said, that it was only one expressed on the view of the documents produced by one party, but, that he certainly considered, that the occasion was not one even if proved, for which the Society could award its medal. Major Bruce, as it appeared had, in a work entitled the 'Gentleman Farmer's Guide', referred to, 'collecting' and planting tea plants' as a matter so perfectly well known in Assam, that no farther remarks on it were necessary. Mr. O'Hanlon and Mr. Robison both, offered observations for and against Dr. Wallich, and Major Carter and Mr. Piddington urged that the matter was one wholly out of the Society's competence to determine, inasmuch as the question was one between Capt. Charlton and Dr. Wallich as a public servant, in his capacity of Secretary to the Tea Committee, in which the Society might possibly be a witness, but could not be a judge: and both referred to the disagreeable consequences which had arisen out of former discussions, which were really on matters pertaining to the Society's own business, to which this question was wholly foreign. The result was, that Dr. Wallich's explanatory statement

and documents will be placed upon record as Captain Charlton's has been; and that members will be enabled to express their convictions either way by their votes on Dr. Corbyu's motion, should it be put to that test.

We have endeavoured here to give a fair though brief statement of the main facts, but we request that our readers will suspend their judgments until they see the statements; which the worthy Secretary will, we doubt not, do his best to give at the earliest possible moment. It was past eleven when the meeting broke up and we doubt that, if personal questions of this kind be frequently entertained, the meetings will be in future so well attended. The table was covered with many articles of interest, which, we take it, members would much rather have heard tidings of, than listened to this unfortunate difference.—*Eng. Aug. 12.*

In our paper this evening we have the pleasure to insert the statement of Dr. Wallich, which he thought it necessary to make in consequence of the letter addressed by Captain Charlton to the Agricultural Society, and which was read at its July Meeting. To publish this full and most satisfactory document gives us high and unequalled gratification, because it is a most complete vindication of one who we are proud to number among our friends; because he is a principal official in a Society, in the prosperity and honor of which we are deeply interested; and because we always rejoice to see those who are swift to assail thwarted and confounded.

It gives another lesson to the Englishman, which he might profit by. On the 17th of July he wrote thus—for he did not see it was just then, as he did yesterday, to ask any one to wait before passing judgment. No, he returned a verdict at once, and he then wrote—Captain Charlton's letter is so plain and conclusive, that we think it impossible for any one possessed of judgment and impartiality, to doubt his right to the discovery for a single instant!" This was pronounced without waiting to hear what could be said on the other side—and our contemporary reaps the usual harvest of rashness, by having to confess yesterday that the question is set at rest by Dr. Wallich—that is, it is shewn that the discovery was not made by Captain Charlton. From the quantum of merit due to this Officer, we are anxious—that not a grain should be abstracted—he was the first who succeeded in transmitting seed vessels of the Tea Plant to Dr. Wallich,

so as to enable the latter to declare without the possibility of error, that the Tea Plant of Assam is identical with the Tea Plant of China, and thus Captain Charlton was the judicious, persevering, and fortunate instrument of enabling Dr. Wallich to pronounce as to the identity.

It may be as well to explain to those who are unskilled in botany that the Thea, or true Tea Plant, is so closely allied to the Camellia, that the two genera can only be distinguished by the diligence in the form of the seed-vessels; and until Dr. Wallich was furnished with these, he could not decide positively on the point in doubt. One of our contemporaries, in common with some other persons, have expressed their surprize at Dr. Wallich's tardiness in forming his judgment; but they forget that no man of science, whose character depends upon the accuracy of his researches and decisions, can be justified, or justly expected, to rush to a conclusion as facially as those whose reputation is not promoted by their judgment being correct, nor injured if it should prove to be groundless. Dr. J Grant justly observed that Dr. Wallich, like all true men of science, was slow in declaring his conviction.

We cannot leave the subject without again expressing our high approval of the entire absence of even an angry word, much more of a tart sentence, from Dr. Wallich's statement. It is an example worthy of all imitation, and may be remembered with advantage by some to whom we could point the finger even in the limited circle of the Calcutta savans. Yet Dr. Wallich was not without provocation, for the suppression of a letter was certainly imputed to him.

Sir E. Ryan and Mr Johnson have been reproved by two of our contemporaries for prematurely expressing their dissent from the proposed grant of a Medal to Captain Charlton. If a mere notice of motion to be made at the next meeting had been given by Dr. Corbyu, their observations might have been uncalled for—but Dr. Corbyu made a long speech in support of the grant, and it certainly was not more misplaced to argue in opposition to, than it was to argue in favor of the donation. The subject of the grant will come fairly before the Meeting in September, when, we have little doubt that the Society's judgment will be correct, and, we think the further discussion may be adjourned until then without prejudice.—*Cal. Courier Aug. 13.*

Devoting an article of the usual calibre (which is, in one sense, a great bore!) to the tea-plant controversy between Captain Charlton and Doctor Wallich, the leading evening journal declares that because Dr. Wallich's statement clears him of all design to suppress his letter to the Committee in which he ascribes the discovery in question to Captain Charlton, it therefore upsets our former article on the subject of the 17th July last;—but how, when, or where, did the Editor of the Courier ever learn that our judgments were so feebly based as to be blown down by a breath from such a whistler as he is! Once upon a time, indeed—before we knew his trickery so well as we now do—he might, to a certain extent, have succeeded in placing us in apparent error, or fallacy, by means of false quotations; but it is a silliness in him to try that now, at this time of day, when the reading world have so long been awake to his plagiarising and other unprincipled controversial proceedings. Speaking of Dr. Wallich's statement, he says:—

‘It gives another lesson the the Englishman, which he might profit by. On the 7th of July he wrote thus—for he did not see it was just then, as he did yesterday, to ask any one to wait before passing judgment. No, he returned a verdict at once, and he then wrote—‘Captain Charlton's letter is so plain and conclusive, that we think it impossible for any one possessed of judgment and impartiality, to doubt his right to the discovery for a single instant!’ This was pronounced without waiting to hear what could be said on the other side—and our contemporary reaps the usual harvest of rashness by having to confess yesterday, that the question is set at rest by Dr. Wallich—that is, it is shewn that the discovery was not made by Captain Charlton.’

Now, would not any one suppose, from reading that isolated extract from our said article, that we had been maintaining that Captain Charlton was the first to discover in Assam the existence of the plant, since proved to be the tea plant? Of course any reader would be of that opinion, who should assume that we maintained what that little bit, placed by itself there, makes us appear to have done; whereas the very first sentence of our article expressly shews, that we spoke of the discovery of the genuineness of the Assam plant, as the real tea plant,* being the right of Captain Charlton; and did not maintain that the plant had never been seen by any one before he saw it. Why, in Captain Charlton's own letter to Doctor

Spry, he admits that others may have seen it, but he maintains that he was the first who proved its real nature, and we gave the same judgment partly on the strength of Doctor Wallich's own declaration, made to the tea Committee! The discovery that such a plant as that which is now known to be the tea plant of China, grew in Assam,—to be the first discoverer of that fact—Captain Charlton never pretended to any more than Watt insisted on being considered the discoverer of steam—but it were as unjust to deny Capt. C the honor due to the person whose care and skill had proved the genuineness of the plant, and who was thus essentially the discoverer of the genuine tea plant in Assam, as it would be to deny James Watt the fame of the steam engine, because the Marquis of Worcester had conceived some such idea in his Century of Inventions, or because DuCaus had, upwards of two hundred years since, had a glimmer of the same scientific light, or because the ancients were acquainted with steam power some two thousand years ago, and probably earlier. We can see no argument which would deprive Captain Charlton of the Society's medal, which might not be urged against a statue to Watt, or even in some degree against Harvey, and, in a considerable one, against Newton, or, further back, Columbus.—no—go at more length of detail into the history of discoveries. The question here is—who proved the genuineness, as the tea plant, of a certain plant known to be indigenous to the soil of Assam? The answer to that is—CAPTAIN CHARLTON, at least as far as present evidence goes; and while Doctor Wallich's statement does not deny this fact, his former acknowledgments abundantly established that such was always his conviction. His statement satisfies us that he did not suppress (using the word in the sense which implies official malversation) his letter to the Tea Committee, in which he gave Captain Charlton the full credit of the discovery in question; but there is nothing in that statement which rendered it requisite for Sir Edward Ryan to qualify his first opinion in favor of Captain Charlton's claim in the sense in which that claim was advanced, and understood; and we most decidedly are of opinion, that Sir Edward acted unduly in giving his vote (for that was the amount of it, and the intent too) against the grant of the medal to Captain Charlton, ere yet the question was regularly before the meeting, and under circumstances which made it appear that he desired to influence the decision when the regular discussion should take place, at which he

did not anticipate being able to be present. of the Assam Tea Plant is due. I need
There is so much, in our opinion, of a slavish scarcely add it has been ascribed to Mr.
feeling in that Society that our expectati Bruce.”

Commenting upon this letter in his issue
of the 17th of July, our contemporary be-
gins as follows. “We feel bound to very
strongly reprobate the attempt made by
the Editor of the Courier to throw doubts
on the right of Captain Charlton to the
credit due to him who discovered that the
genuine Tea Plant was indigenous in
Assam.”

The other evening we made this quotation
from the Englishman of the 17th of July—
“Captain Charlton's letter is so plain and
conclusive, that we think it impossible for
any one possessed of judgment and impar-
tiality, to doubt his right to the discovery for a
single instant,” and we thence took occasion
to suggest to our contemporary, that this was
another lesson to him not to be so precipitate
in his judgment, because Dr. Wallich has
shewn to demonstration that Captain Charl-
ton was not the discoverer of the Tea Plant
in Assam. Upon this our contemporary,
with that beautiful and engaging modesty
which renders conscious a so blushing
alive to the suspicion of arrogance, asks in
gentle accents—“how, when, or where, did
the Editor of the Courier ever learn that our
judgments were so feebly based as to be
blown down by a breath from such a whiffier
as he is?” Now we do not feel at all inclin-
ed to waste any breath about the matter, but
we will take the trouble to condemn our con-
temporary out of his own type, not only be-
cause we never allow a swaggerer to get
off unconvicted under cover of mere braggad-
ocia; but because we wish the public clear-
ly to understand the ground on which Capt.
Charlton and his friends at first claimed the
Agricultural Society's declaration in his fa-
vor. The Englishman asks, “would not
any one suppose, from reading that isolated
tract (the one we have quoted) that we had
been maintaining that Captain Charlton was
the first to discover in Assam the existence of
the plant, since proved to be the Tea Plant?”
To which we reply—yes, they would so think,
and they would think correctly, for you did
so maintain.

Captain Charlton, in his letter read at the
July Meeting, asks this of the Society—
“I have now only to beg that the Society
will determine and record on their pro-
ceedings to whom they consider the discovery

In the same editorial is the paragraph with
which we commenced these remarks, still
speaking of Captain Charlton's “discovery,”
and our contemporary then argues against the
counterclaims of Mr. Bruce and others as
discoverers of the Tea Plant. There is not
a word—not a syllable—not a hint even
that our contemporary thought Captain Charl-
ton was entitled to no other merit than
that of helping to prove the real nature
of the shrub which others had discovered.
Nay—Captain Charlton himself made no
such restriction. He claimed, as the dis-
coverer of the plant—Dr. Corbyn took
no such narrow ground when he addressed
the Society at its July Meeting; and it
was only an after-thought to propose that
the Medal should be given for the real
part which Captain Charlton was shewn, by
Dr. Wallich, to have filled in his very satis-
factory statement at the August Meeting,
and Dr. Corbyn altered the terms of his re-
solution accordingly.

Upon the absurdity of saying that any ar-
gument against Captain Charlton's title to the
Medal might also be urged against Mr. Watt's
title to a statue for perfecting the Steam
Engine, requires a very short demonstration
—Mr. Watt rendered the employment of
Steam's gigantic power as a servant of man,
easy, safe and universally applicable—he in-
vented, he discovered all the essential me-
chanism of the low pressure Steam Engine.
Captain Charlton, by persevering and judi-
cious arrangements, got some well condi-
tioned seeds and plants of a previously dis-
covered plant, the nature of which was doubted,
into the hands of Dr. Wallich.—*Cal. Courier*,
Aug. 18.

* The Englishman endeavors to shuffle, off because he
made use of the word genuine; but the futility of the
attempts is too palpable. Our contemporary does not
say that the Captain aided to demonstrate the genuine-
ness of the Thea, but that he discovered the genuine
Tea Plant was indigenous!

To the Editor of the Englishman.

Sir, — I had intended to have noticed sooner a remark in your paper of the 12th instant, but I thought it better to wait until the full account of the proceedings of the Agricultural Society's Meeting of the day before had appeared in the print. It would seem from the way in which the circumstance is stated, that I had laid claim to the original discovery of the tea plant of Assam, and that my claim was invalidated by the testimony of Dr. Wallich, and the evidence of one of my own private letters of March, 1835.

I have never laid claim to the actual discovery of the tea plant in Assam, but, on the contrary, only in my last letter to Dr. Wallich inserted in your paper of the 27th of last month, I distinctly stated I was well aware that the tea plant of Assam was known to most of the natives of the country, and that the different wild tribes in the vicinity of Suddyah and Beesa were in the habit of drinking an infusion of the leaves and, of course, every European who went into the country, if he chose to enquire regarding its botanical productions, could not fail to be acquainted with it also; but I claimed, and do claim the merit from the circumstance of my having been the first to communicate the discovery to the public through the medium of Agricultural Society of India, and afterwards, in the official organ of Government, the Government Gazette of March 12th, 1832; also from the fact that the specimen of tea sent by me to the Tea Committee, was the first admitted to be genuine tea. Besides which, it is an established rule in all civilized communities, that a person who first publishes a discovery to the world is the person to whom the credit of the discovery is due.

I again copy the extract alluded to, as Dr. Wallich in the statement which he laid before the Agricultural Society at their last meeting, thought proper to deny that such had appeared. I quote his own words—'Captain Charlton mentions in last month's proceedings that he gave the tea plant which he had brought away from Upper Assam to Mr. Tytler for presentation to the Society, but nothing of this appears on the face of the above paper or any where else in the volume.'

What volume does Dr. Wallich mean? I can only say I saw the extract taken myself from a book containing the transactions of the Society, and the Secretary Dr. Spry affixed his signature to it in my presence as a true document. Dr. Wallich also states that the plants were not received into the Botanic

Garden. I mentioned in my letter the Society's Garden, and the Secretary at that time reported they were received.

'At a meeting of the Agricultural and Horticultural Society of India held within the Society's Apartment, Town Hall, on the 15th day of February, 1832.

'The Honorable Sir Edward Ryan present in the chair.

'The following letters to the address of the Secretary were read:—

'From Dr. John Tytler to the Secretary enclosing two letters from Lieutenant Charlton offering to the Society some gum copal, caoutchouc and tea trees sent by him from Assam.

'The Secretary reported that these plants had already been received into the Society's Garden, and he was requested to convey to Lieutenant Charlton through Dr. Tytler the thanks of the Society for the donation.'

Then follows the account of the tea tree as stated in my letter, and read to the Agricultural Society by the President at their meeting of the 14th of last month.

In proof of the second reason I have assigned for the credit of the discovery being due to me, I beg to refer to the following extract of Dr. Wallich's letter written in the name of the Tea Committee of the 24th December, 1831, Parliamentary papers, page 33.

'Still we felt ourselves bound to suspend our decision on the subject until we should be in possession of the fruit of the reputed shrub, the only tea which ought to guide us: we knew that several species of Camellia were natives of the mountains of Hindoostan, and that two of these were indigenous in our North Eastern frontier provinces, and taking into consideration the close affinity between the two general, we were disposed to expect that the alleged tea would prove nothing else, but some sort of camellia—we have at length obtained the fruit of the Suddyah plant from Lieutenant Charlton, and we are now enabled to state with certainty, that not only is it a genuine tea, but that no doubt can be entertained of its being the identical tea of China, which is the exclusive source of all the varieties and shades of the tea of commerce.'

'An extraordinary discrepancy I must here remark appears with reference to the above letter and that of Mr. Scott of 2d June, 1825.

Dr. Wallich in the name of the Tea Committee expressly states 'Still we were bound to suspend our decision until we should be

in possession of the fruit of the reputed shrub,' and again 'we have at length obtained the fruit from Lieutenant Charlton, and we are now enabled to state with certainty that not only is it a genuine tea, but that no doubt can be entertained of its being the identical tea of China.'

Mr. Scott in his letter of Dr. Wallich dated Dekkow Mook, 2d June, 1825, which appears in your paper of the 16th instant states, 'I have now the pleasure to forward some leaves and seeds of a plant which the Burmese and Chinese at this place concur in stating to be the wild tea. I had a much more perfect seed than any of those sent, but cannot now find it; it was of this shape agreeing with the plate in the Encyclopaedia, and in a postscript he has added, 'I have now found the triangular seed and forward it with the others in a tin box.'

Now this involves a palpable contradiction. What is the fruit, but the seed and capsule? The seed itself is round; it is the capsule that gives the fruit its peculiar triangular appearance, which serves to distinguish the teas from the camellias.

According then to this, Mr. Scott must have sent the fruit 1825, although Dr. Wallich asserts in his letter of the 20th December, that he had only then at length received the fruit of the plant from me in 1834.

But supposing the fruit had not been sent by Mr. Scott, is it not preposterous to imagine (if Dr. Wallich had the slightest suspicion of its being tea,) that he would not have requested the fruit might be sent him by which he asserts the difference between the teas and camellias is alone distinguishable, corresponding as he did with the late Mr. Scott on Botanical subjects as far back as 1825?

The death of Mr. Scott occurred a few months after my arrival in Assam. I was not aware that he had ever sent seeds and tea plants from Assam to Dr. Wallich. There is not the slightest allusion to it in the printed correspondence on Assam tea affairs. I naturally therefore inferred he had not, or so important a fact would not have been allowed to remain secret.

In his letter of the 24th Dec. 1834, Dr. Wallich in the name of the tea committee states.

'We were acquainted with the fact that so far back as 1826, the late ingenious Mr. David Scott sent down from Manipore specimens of the leaves of a shrub which he insisted upon was a real tea.'

I beg particularly to point this out, as Dr. Wallich in his letter to Mr. Colvin of the 13th of Feb. 1838, which appears in your paper of the 16th instant, in referring to the very part of the same letter for Manipore roads Upper Assam. Parliamentary Reports page 33.

With regard to the original subject of discussion as to whom the credit of the discovery of the tea plant of Assam is due, Dr. Wallich's statement instead of elucidating the subject in the least has made it infinitely more perplexing: two more candidates are introduced on the arena, the late Major Bruce and the late Mr. Scott; but first and foremost, according to Dr. Wallich's system of arrangement, the credit of the discovery is assigned to me. In his letter to the tea committee of the 6th of December 1834, Dr. Wallich states, I humbly submit that a more interesting, a more valuable fact has never before been brought to light in India Agriculture than has thus been established beyond all dispute by Lieut. Charlton. On the 24th of Dec. 1834, Dr. Wallich asserts in the name of the Committee, 'We have no hesitation in declaring this discovery which is due to the indefatigable researches of Capt. Jenkins and Lieut. Charlton to be by far the most important and valuable that has ever been made on matters connected with the Agricultural or commercial resources of this empire.' On the 15th of March 1836, page 67, Parliamentary Reports, Dr. Wallich asserts again, 'It was Mr. Bruce and his late brother who originally brought the Assam tea into public notice many years ago when no one had the slightest idea of its existence.'

On the 15th of February 1838, Dr. Wallich gives back the credit of the discovery to Captain Jenkins and myself, vide his letter to Mr. Colvin of the above date as appears in your paper of the 16th instant, and lastly in Dr. Wallich's statement, the late Major Bruce and the late Mr. Scott are both brought forward as the first discoverers, although in his letter to Mr. Colvin just alluded to Dr. Wallich states, 'It was during the time while I was stationed at Suddiyah that the existence of the tea was first brought to light.' Both Major Bruce and Mr. Scott had been dead nearly four years before I went to Suddiyah!—was there ever such a mass of absurdity and contradiction? If a man can be allowed to change his mind according to Dr. Wallich's system whenever he may find it convenient or agreeable, one can scarcely ever fail conditionally to speak the truth.

Which of all Dr. Wallich's numerous assertions does he at last mean to adhere to? I hold them all conditionally true, but the late Buchanan Hamilton or his executors should be allowed I think to enter the arena as competitors for the discovery; the fact of the tea plant being found in that part of India is adverted to I believe in his unpublished manuscripts in 1793, though strictly speaking both the late Major Bruce and Mr. Scott have admitted their information was derived entirely from natives. If the fact could be really proved, the original discoverer of the tea plant of Assam would turn out to be, as was suggested at the last Meeting of the Agricultural Society, some patriarchal Burmese or Assamese though, from the primordial appearance of the Suddyah tea jungles the original discoverer I should fear be found among the present generation.

But where is the ample testimony Mr. Scott has borne in favor of the Bruces according to the following extract of Dr. Wallich's letter, Parliamentary papers page 67?

'It was Mr. Bruce and his late brother Major R. Bruce at Jorehath who originally brought the Assam tea into public notice, a fact to which the late Mr. David Scott has borne ample testimony.'

How does it happen that Mr. Scott in his letters, published by Dr. Wallich has not once mentioned the name of either of the Bruces, or alludes to them at all in any way whatever; and as to their having originally brought the tea plant into public notice, there is not the slightest evidence adduced to substantiate the idea excepting a private letter from Mr. Bruce dated March 1835, three years after the announcement to the public of the indigenous tea plant of Assam in the Calcutta Government Gazette. In a journal of the late brother entitled the Gentleman Farmers Guide 'for Bengal and Assam' presented to the Agricultural Society in 1837, and published in their transactions for the same year, the following passage is alluded to by Dr. Wallich to shew that the late Major Bruce was acquainted with the tea plant; 'collect tea plants and seeds in this month September and October:' no one never called in question that both he and his brother may have been aware of the circumstances, but how and when did they bring the fact into public notice?

The whole of Dr. Wallich's sweeping assertion then is evidently incorrect, yet this is what he has thought sufficient to lay before

the Hon'ble the Court of Directors, and actually the British public, in order to justify his conduct in depriving me of the credit of a discovery which he had before repeatedly and unequivocally conceded to me.

Finding his assertion totally untenable on the reasons he before so confidently assigned, he then fearlessly appeals to the officers who were in the province during the Burmese war to shew that Mr. Bruce and his late brother first furnished Mr. Scott with tea plants and seeds.

A more conscientious, upright, honorable minded man than the late Mr. Scott, I believe never lived: he was utterly incapable of pillaging a thought, word, or deed of any human being, and giving it as his own. Had he obtained his information or been furnished with tea plants and seeds, first by Mr. Bruce, or his late brother, it is very improbable he would have concealed the circumstance. His death occurred 1 thing in 1829 or 30; Dr. Wallich must therefore have been in possession of his letters when he gave the credit of the discovery of the tea plant of Assam first to himself, then to Captain Jenkins and myself, then to Mr. Bruce, then back again to Captain Jenkins and myself, and finally to the late Major Bruce and Mr. Scott. No fresh evidence is adduced as a reason for his having so often charged his mind, but these letters, which he had by him since 1825, are now brought forward as evidence to disprove a fact that with these very letters then before him previously maintained.

I acknowledge freely, as is evident from Mr. Scott's letters, it was no fault of his, that the tea plant of Assam was not long ago brought into public notice; he appears to; have done every thing in his power to convince Dr. Wallich—that it was the real tea; he states that not only the Burmese, but Chinese insisted on its being tea; he gives a drawing of the seed and compares it as identical with that of the tea in his Encyclopædia; he sends the peculiar three lobed seed which must have been the fruit, that is the seed and capsule, or it could not have been trilobed or triangular as Mr. Scott terms it, on the peculiar structure of which, to use the very words of Dr. Wallich, entirely depends the difference between the tea and camellia. Here then is proof positive, according to the evidence Dr. Wallich has himself brought forward, that he had the fruit of the tea plant of Assam in 1825, although he has declared in his letter page 33, Parliamentary Reports, that he only received it from me in 1834.

What was it then that shook at last the incredulity of Dr. Wallich? he had received the tea in almost every shape, the leaves, the seed, the capsule, the fruit, and plant itself again and again from Mr. Scott?

He had not seen it manufactured into drinkable tea and no one (as Captain Wilcox states in his letter to Dr. Spry, read at the Society's last Meeting) ventured to entertain a hope that the tough leaved plant of the jungles could be prepared to resemble Chinese tea.

By experiment on experiment I at last succeeded in making so good a sample that I sent part of it to Mr. Bruce, at Suddyah, as high priced tea received from Calcutta, which he admitted to be worth the money, and to this day I believe he does not know the contrary. This sample I sent in a stone jar with some large dried unprepared leaves at the top to exclude the air, together with a small tin box containing the fruit, feeling confident, as I then predicted in my letter of the 8th November 1834, Parliamentary Papers page 45, that it would prove the best test it was not a camellia as Dr. Wallich imagined, adding in the same letter that at the end of the cold season, I hoped to send as good black tea as one generally receives from China and would make experiments in the interim in the art of preparing green.

Dr. Wallich in his answer does not even deign to acknowledge the receipt of the jar of tea, but ascribes the new light that shone upon him to his having at length obtained the fruit; but the late Mr. Scott's letters, which in an evil hour have been permitted to appear after having remained since 1835 so snug and secret attest, that long before the fruit had been received he had pointed out the real cause of the tea plant of Assam being declared at last identical with that of China although so carefully attempted to be concealed.

But who could expect a Botanist to admit the fact, and one especially of such renown? No sooner however, had my jar of tea been opened and the fragrant fumes of my exquisite Souchong had penetrated the nasal organs of Dr. Wallich, than evidently overcome by its exhilarating effects he burst forth in a strain of the most enraptured language, and 'this most interesting, this most invaluable fact is at once brought to light and the glorious discovery announced to the world.'

The assertion of Dr. Wallich that I requested him to write to Head Quarters in my behalf, begging his pardon, I positively deny; the offer was entirely gratuitous on

his part, and the extract of my private letter brought forward to support the fact does not tend to prove it in the least; but only shews the delicacy and refinement of feeling that must have actuated Dr. Wallich in laying it before the public. I have scrupulously refrained from publishing any part of his private correspondence with me (though several of his letters would materially substantiate what I wish to prove) without first obtaining the permission of the writer.

I conceive it to be an act of indecorum and breach of confidence which I ever trust I may learn to have recourse to. It is quite irrelevant to the subjects in dispute, and merely introduced to excite prejudice, as is apparently his letter to Mr. Colvin.

At the time the extract alluded to was written I felt, and expressed myself, obliged to Dr. Wallich for the apparent kindness and friendliness of his intentions, and with reference to his private letters and the part of his official one of the 6th December, 1834, 'That a more interesting, a more invaluable fact had never before been brought to light,' and again in his letter to Mr. Colvin, 'That it was during the time I was stationed at Suddyah that the existence of the tea was first brought to light' so evidently assigning the original discovery of the tea plant to me as far as I am capable of comprehending his meaning, that I said he had given me more credit than I deserved. But on my obtaining a copy of the printed correspondence relative to the discovery and cultivation of tea in India a few months previous to my leaving England, I found to my surprise the credit of the discovery given unequivocally to Mr. Bruce, an act of injustice I consider to myself, and a great imposition practised on the public.

Can Dr. Wallich then suppose I should have gone to him for a private explanation? The injury he has done me is public, and the redress I seek is public also. I have nothing to conceal, and should I fail in obtaining the satisfaction in this country that I think my due, I shall appeal with pleasure and confidence to the Court of Directors and the public in England. The sumise that I have done so already is incorrect.

With many thanks for the space this uninteresting letter must occupy in your paper.

I remain Mr. Editor,

Your's much obliged;

A. CHARLTON.

Calcutta, August 19, 1841.

[Eng. Aug. 24.]

After having carefully pursued the defence which Dr. Wallich laid before the Agricultural Society in reference to this question, as well as Capt. Charlton's rejoinder, we must frankly confess that Dr. Wallich's explanations do not appear so satisfactory as we could have wished. The only two points under discussion are, why Dr. Wallich's official Circular to the tea Committee of the 6th of December, was not laid with other papers before Parliament, when copies of all papers connected with the discovery of the tea plant were ordered to be submitted to it; and, secondly, why the credit of having first brought the tea plant to the notice of the public, which Dr. Wallich had given to Capt. Charlton on the 6th of December 1834, was transferred to Mr. Bruce and his brother on the 15th of March 1836, which led to the bestowal of the Medal on Mr. Bruce instead of our Capt. Charlton.

The reason assigned for the non-appearance among the Parliamentary Papers of Dr. Wallich's Letter to the Committee of the 6th of December, is far from satisfactory. It is said that it was a letter written to the Committee for their consideration; but surely this is no reason for withholding it. It was the most important document of the whole series. It was the first official announcement to the Committee by the Superintendent of the Company's Garden and their secretary, that the 'glorious discovery' had at length been made (through the exertions of Lieut. Charlton) that India possessed the real tea of commerce. It was upon this discovery, and upon this acknowledgement, that those subsequent measures were based which have made the cultivation of tea a national enterprise. This letter, of all others, therefore, should not have been omitted.

We suspect that it was withheld because no mention was made in it of the name of Capt. Jenkins, the Commissioner in Assam, in which country Capt. Charlton held, but a subordinate appointment. This idea is strengthened by finding that in the resolution passed by the Committee on the strength of this letter, the omission is corrected, and Capt. Jenkins's name is associated with that of Capt. Charlton. The letter which the Committee addressed to Government, in pursuance of the resolution, goes also upon the same assumption, that the invaluable discovery which had been made was owing to the indefatigable zeal of both. The first letter in which the credit was given to one, remained, therefore in the archives of the Committee, while the second, in which it was

divided with his superior, was published in London's Gardener's Magazine, and printed in the Parliamentary papers. Capt. Jenkins has laid the province of Assam under so large a debt of gratitude for his indefatigable exertions in its behalf, that he cannot be supposed to covet the ambition of having been the first to render the discovery of tea efficient; and we notice this vacillation at the outset, only to shew how it runs through the whole transaction.

Dr. Wallich has produced a number of letters from Mr. D. Scott,* to shew that he was acquainted with the existence of the Tea plant; that he had it in his possession; and that he went so far as to send the seeds down to Dr. Wallich. But all this evidence was fully before him when he gave the glory of having incontrovertibly proved that the plant obtained in Assam, was the genuine tea plant, exclusively to Capt. Charlton. Dr. Wallich can bring forward nothing which was known to him before Dec. 6th, 1833, to invalidate the testimony which he gave on that date, without doing his reputation much damage. After having resisted all the arguments adduced by Mr. Scott to prove that the Tea he had found, was the genuine plant; it would be highly inconsistent to adduce the fact of Mr. Scott's having discovered it to invalidate the claims, or weaken the merit of Capt. Charlton. It is now certain that Mr. Scott was in possession of the real plant; but Dr. Wallich who refused, on what he no doubt supposed good grounds, to admit the fact, down to the period of Mr. Scott's decease, is precluded from making any use of it for his own justification. Had Dr. Wallich given Mr. Scott any encouragement to hope that he had obtained the Tea of commerce, it is impossible to calculate the benefit which would have been conferred on the province of Assam. Mr. Scott would immediately have directed his energies to the establishment of Tea cultivation, and this article might now have become one of our most valuable exports.

Dr. Wallich informs us that he transferred the merit of the 'glorious discovery' to Mr. Bruce, in consequence of the information he received on all hands when he was in Assam. This journey to Assam was that which he undertook in company with Dr. McChland and Mr. Griffiths, in 1836. Dr. Wallich says, "he received on all hands the information that Major Bruce and his brother furnished Mr. Scott with Tea plant and seeds long before any one else did!" This, however, will not

do. Dr. Wallich never acknowledged that any of the plants and seeds which had ever been possessed by Mr. Scott, belonged to the genuine Tea plant. He himself says that he did not venture to decide this point till he could obtain the fruit, on which rests the difference between the true, and the suppositions plant; and that it was Capt. Charlton who supplied that desideratum. It would therefore be utterly inconsistent to deprive Capt. Charlton of the merit which has been assigned him, on the mere fact that Mr. Bruce had supplied Mr. Scott with plants and seeds, when Dr. Wallich had refused to allow any of the plants and seeds which Mr. Scott had ever obtained by any instrumentality, to be genuine. There is no evidence whatever, as yet, therefore, to justify the transfer of the credit from Capt. Charlton to Mr. Bruce.

But Dr. Wallich, himself invalidated the claims of Mr. Bruce and his brother, two years after. When addressing Mr. Colvin, Lord Auckland's private secretary, to solicit his Lordship's consideration for Capt. Charlton, he urges among other claims that it was he in conjunction with Capt. Jenkins who first brought the Assam Tea effectually to the notice of Government. Here all mention of Mr. Bruce's "having brought the Assam tea into notice many years ago," is altogether omitted, and the credit is restored to Capt. Charlton. To this assignment of the glory of the discovery, we advise Dr. Wallich to adhere. He will see the impossibility of alluding to any thing that transpired previously to Dec. 6th, 1833, when he declared, that for the first time evidence had been produced, that the Assam tea was the tea of Commerce, without studiously his own communications. We believe that throughout the whole of this business Dr. Wallich has been actuated by no unfriendly feeling towards Capt. Charlton; but that he has allowed the warmth of his feelings at the moment to place him in an awkward predicament in reference to his previous assertions.

It was thus that the credit which was first given to Capt. Charlton, was a week after divided with Capt. Jenkins: that the credit given to both, was again transferred to Mr. Bruce, when Dr. Wallich was brought into personal contact with him in Assam; and that it was restored to Capt. Charlton when he wished to do him an act of kindness with the Governor General.—*Friend of India*, Aug. 26.

The Monthly Meeting of the Agri-Horticultural Society takes place this morning at half-past nine, and we hope that all members,

resident in Calcutta, who have no particular engagements to keep them away will make a point of attending. The propriety of presenting Captain Charlton with a Medal of his services in the matter of Assam Tea cultivation will be discussed, on notice given at the last Meeting by Dr. Corbyn. We have no desire to prejudge the propriety of the grant, or we should have done, what we have purposely abstained from doing, discussed the question at length. We simply ask members to attend, and vote conscientiously after hearing the pros and cons. We have an entire confidence in their deciding rightly.—*Cal. Star*, Sept. 8.

We yesterday asked the resident Members of the Agri Horticultural Society, to attend and vote as they might be influenced by what they heard, pro and con, the proposition for a gold Medal to Captain Charlton, as the gentleman who had established the fact of the Tea plant being indigenous in Assam. We said we had no doubt they would decide rightly; we might have said more plainly we had no doubt they would vote the medal. It was voted; the proposition was carried not by a meagre majority, but most triumphantly. We think not less than 25 or 26 simultaneously held up their hands Aye, and of the remaining few, we imagine more than half of them were merely visitors.

Dr. Corbyn spoke strongly in favour of his proposition, and was seconded by Dr. J. Grant, followed by Mr. Dearie and Mr. Hume. The President of the day and a Vice-President of the Society, Mr. C. K. Robison, and Mr. Johnson opposed the grant. We congratulate Captain Charlton on this honourable acquisition, and we think he may prize it the more highly that he has obtained it after the most searching investigation of his merit, rather than as the mere compliment of a few influential friends.

There was a considerable attendance of members at the Meeting of the Agricultural and Horticultural Society of Bengal yesterday, because it was understood that the question of Captain Charlton's title to the gold medal, for establishing the fact of the tea plant being indigenous in Assam and available for commercial purposes, would come on, for discussion.

Dr. Corbyn, as the mover of the Resolution which had been a month before the members opened the business of the day with a speech, which, for length, occasional incoherency, and a superb contempt for the ordinary rules of rhetoric and laws of grammar,

rivalled his best articles in the far famed India Review. Fortunately, so good a cause as Captain Charlton's could not be spoiled by the awkwardness of an advocate, or Dr. Corbys's unlucky mode of delivering himself would have neutralised all his own excellent enthusiasm and the claims of his client into the bargain. Dr. Grant, as the seconder of Dr. Corbyn's resolution, addressed a few words to the meeting, but they were to the purpose;—he recapitulated briefly the grounds of the claim put in on Captain Charlton's behalf and deprecated the inconsistencies apparent in Dr. Wallich's assignment of the credit of the tea discovery to different individuals at different times. Mr. Charles Dearie as a member of the Agricultural Society, anxious to take a dispassionate view of the question before the meeting, and desirous of seeing the pretensions of Captain Charlton fairly considered, animadverted strongly upon the conduct of the President. Sir Edward Ryan, in prejudging the matter by something more than an indirect expression of sentiments adverse to Capt. Charlton, at the last meeting, Mr. Dearie considered it anything, but fair or decorous in the President, to throw the whole weight of his influence,—the influence of the Chief Justice of the Supreme Court of Calcutta—into the scale, as he could not be unaware that the authority of his office would give to his opinions, with some members of the Society, an undue degree of importance and prevent that impartial consideration which it was incumbent upon the Society to bestow upon the case. Mr. G. W. Johnson, the Editor of the Courier, rose after Mr. Dearie, and benevolently covering Dr. Wallich and Sir E. Ryan with the shield of sophistry, proceeded to demonstrate, with his usual success in this line, that every thing that had been said by every body else was perfect rhodomontade and nothing but it, and that it was quite preposterous to think of bestowing medals upon people, who were not the actual, bona-fide, upright and no-mistake discoverers of something very important to some body. The learned gentleman sat down, perfectly satisfied that he had made a prodigious effort in his country's cause and apparently quite overcome by the violence of his exertions. From a sentiment of respect for his exhausted state, the meeting preserved a dead silence when it appeared, from his ceasing to speak, that he had finished his labours.

Mr. James Hume then took up the question, and we must say that in the whole course of our experience of Calcutta Town Hall oratory, we have never heard so excellent a speech as his knowledge of the subject

and his hearty adoption of Captain Charlton's cause enabled him to deliver. If it had been a little freer from personality and occasional asperity it would have been quite unexceptionable. He followed Mr. Dearie in denouncing the course taken by Sir Edward Ryan, in endeavouring to prejudice the society against Captain Charlton's claim;—he went over the whole history of the tea discovery, shewing how decided the tea committee and Dr. Wallich had at one time been in their conviction of the integrity of Captain Charlton's claim, and what gross carelessness or dereliction of duty was chargeable to some persons, if it were a fact that Messrs. Scott, Bruce and others had long since made the discoveries now attempted to be placed to their credit. Either a most important fact had been most unaccountably kept from the knowledge of the world—or—what was most probable, and indeed more than once pointedly declared—the honor of the glorious discovery was due to Captain Charlton. Of Mr. Johnson's absurd remark that only original discoverers were entitled to medals, Mr. Hume made short work—very. He quoted triumphantly a passage from Lord Broughman's address to the Manchester Mechanic's Institution, in which, while a tribute was paid to the first discoverers of Steam, the greater honor was declared to be the property of Watt, who first practically applied the mighty agent of whose existence others had obtained prior knowledge. He ridiculed the pompous declaration of Mr. Johnson, that the medal was the highest reward the Society could bestow and should only be reserved for great discoveries, by pointing to the instances in which great Discoverers had received the honor for merely fattening a bull, importing a cow or superintending the birth of a calf. It was not considered to high a distinction for the driers of plantains and pumpkins, and it was ridiculous therefore to talk of withholding it from one who had rendered so inestimable a service to Society at large as Captain Charlton. Mr. Hume continued for a great length of time in the same strain, occasionally interrupted by explanations from Mr. C. K. Robison, the chairman, and Dr. Spry, the Secretary. Mr. Robison seemed anxious to claim the honor of the discovery (to the extent admitted to belong to Capt. Charlton) on behalf of Captain Jenkins. He regarded Capt. Charlton as a subordinate officer who acted under Captain Jenkins's orders.—Mr. Dearie asked if any claim had been put in by Captain Jenkins, aware, as he no doubt was, of the intention of the Society to discuss Captain Charlton's right to the

medal. Dr. Grant said, that, whether or no, the claims of others would neither invalidate, nor interfere with, Captain Charlton's, and for his part he would most readily support any proposition for honoring Capt. Jenkins in a similar way. Dr. Mouatt suggested that the 'subordinate' part apparently taken by Captain Charlton, arose out of his position. He was necessarily obliged to send his communications through Captain Jenkins and to receive instructions through the same channel—as he was not allowed to correspond with the authorities direct, &c. &c. Here the discussion was assuming a gossiping, desultory character, and people began to murmur 'Question' 'Divide' &c. Mr. Hume having sat down, after his brilliant expose of the merits of the question, there remained nothing more to say on the pro-Charlton side, and the Anti-Charltonites, it may be equally affirmed, had not a word to say for themselves. To take the votes therefore was all that remained to the worthy chairman, who accordingly, after quarrelling with the terms of Dr. Corbyn's resolution, read the main part of it and called for 'Ayes' to proclaim themselves. A forest of hands was immediately held up, and Captain Charlton's was declared, by a triumphant majority entitled to the medal.

We have given, in the foregoing, but a brier sketch of the proceedings of the day, because the whole of the arguments (though never so clearly and connectedly put as Mr. Hume put them) have been often before the public. Nevertheless, we look upon the result as highly important in several points of view:—It is important to the Agricultural Society, because it has enabled that body to retrieve, in some degree, the ground it lost in reference to the cases of Mr. Master and Dr. Griffith;—it is important to Captain Charlton and others like him, who may communicate their discoveries to the Society, because it proclaims that they are *sure* to have justice done to their efforts, whenever they may appeal to the great body of the members; and more than all it is important to Calcutta, because it has demonstrated that there are men of spirit within the much abused Mahratta ditch, who will not surrender their judgments to people in authority, nor quietly permit even the highest functionaries to attempt to unduly influence the votes of those who have not courage at all times to think and act for themselves.—*Eng. Sept. 9.*

With reference to what has been said in the papers, as to the opinion expressed by different Members of the Agri-Horticultural

Society, on the subject of the President's having spoken, and in effect voted on the Charlton Medal question, at the last meeting, before the discussion could legitimately come on, we think it right to make a few observations. The President stopped Dr. Corbyn when he began the subject, and reminded it could only be brought forward upon notice. In this he was perfectly correct. He then rose to address the Society, on a collateral point, to which had he confined himself, he would not, we think, have been obnoxious to reproach.

Sir E. Ryan had on a former occasion been understood to say that he considered Captain Charlton's claim as discoverer of the tea plant in Assam satisfactorily established, and he was anxious to explain that he uttered such opinion only with reference to the papers that had been before him, that in fact they appeared to establish it—but that it having since been shown him, that the tea plant had been the subject of discussion years before Captain Charlton came publicly forward, of course his apparently positive preference of that gentleman's claim was withdrawn.

Now, we repeat, we think the President was entitled to say thus much, but we think he went wrong the moment he went further, and that if Dr. Corbyn might not be heard why Captain Charlton should have a medal, he the President, should not have intimated even an opinion unfavourable to his claim. Had Sir Edward Ryan, been prepared to say that it was a motion the society could not entertain, it would have been his duty, as President, to point it out, that there might be no irregularity on the face of the Society's proceedings—but that was not the ground upon which he spoke. It will, we hope, be understood now that our opinion, we offer it humbly, is that for the purpose of explanation the President had a right to be heard, but that he was subsequently guilty of the irregularity which he had previously very properly checked in another member.—*Cal. Star, Sept. 10.*

As members* of the Agri-Horticultural Society, righteously paying our quarterly eight rupees, and regularly receiving a monthly little green book, we were well high minded to have gone forth to the meeting on Wednesday, and have shared in the perils of the affair, but remembering that we had not finally

* By the way, ought not edit rs, who are always plural, to have a plurality of votes.

determined upon which side to vote, and calling to mind, that, like another great law-giver, we are somewhat "slow of speech" public, we wisely decided that we should do no good at the meeting, and might do some good by staying at home. Our Reporter, however, went forth and did his duty gallantly, only failing to give us the best speech that was spoken on this highly interesting occasion, a failure, perhaps, which will be readily pardoned, on the score that he felt his inability to do justice to it. We shall have occasion to allude to this (Mr. Hume's) speech anon; but first we must say, that having carefully read all that has been published regarding the discovery, and introduction of the Assam Tea Plant, we have come to the conclusion, the Captain Charlton well merited the medal that has been bestowed upon him—not as a discoverer most certainly [by the way, cannot, with all our penetration perceive why medals should be the peculiar property of discoverers] but as the man, who first succeeded in establishing the identity of the Assam plant with the Tea-plant of China. There can be no doubt that the measures, which have since been taken to extend the cultivation of the plant in the Assam Tea country, are the results of Captain Charlton's exertions. It was, we think, clearly and forcibly shown by Mr. Hume, that it was, consequent upon Captain Charlton's establishment, to the full satisfaction of the Tea Committee, of the fact that the Assam plant was the genuine tea-plant, that the Committee recommended Government to recall Mr. Gordon from China, and saved the funds placed at his disposal for the purpose of bringing thence the China tea-plant, that experiments might be made with it, in the Assam soil. This being the case, we cannot begrudge Captain Charlton his medal. Gold medals have been awarded for much less important services, and, whether others assisted him to bring the tea-plant into notice, or whether others had been before him in endeavours to do so, we think that Capt. Charlton has done enough fairly to earn the honorable testimonial, which the Society have voted to him. We wish that this were all that we had to say on the subject; but we are afraid we must add, that the question has been made a great deal too much a party question—that there has been a great deal of unnecessary crimination and recrimination—that personal feelings have appeared, falsely we hope, to have influenced some of the most zealous partisans, and that there has been, altogether, more noise about the matter, than was either necessary or becoming. We think that Dr. Wallich has been unjustly accused of unfairness towards

Capt. Charlton, and that the extract (No. 9 Appendix, to Dr. Wallich's statement) is in itself a sufficient proof of the Doctor's kind feeling towards Captain Charlton, and his desire to see substantial justice rendered towards one, who had contributed so essentially to the introduction of the Tea-plant into Assam. We might say something, to, regarding the spirit, which seems to have animated some in their attacks on the President of the Society; but, as the war is over, it is better to be silent, for, perhaps, by such remark we should only fan the flames of discord, which are now dying away—so we bring our brief notice to a close, with the exhortation Pax vobiscum!—*Hurkaru, September 10.*

Upon the question whether Captain Charlton deserves the medal that was awarded to him on Wednesday, we have nothing to observe, we have always been, and still are of an unaltered opinion upon the subject; but, as it was observed by one of the speakers on that occasion, that the supporters of Captain Charlton were only actuated by public motives, whilst we admit the claim, so do we ask the same credit for the opponents of the grant. For ourselves, we can say that if we had listened to the suggestions of private feeling, we should have voted in favor of Captain Charlton's claim, because, as he well knows, he is the friend of some of those who have an admitted claim upon our warmest regard. Dismissing this subject, let us turn to the assertion that the President or any other Member of a Society is not to express his dissent to an intended proposition at a future meeting, and against this we enter a hearty protest, because we think the objection irrational, and is never carried into effect in any Society. If such a rule were admissible, why an antagonist notice of motion could not be given; and would it not be absurd in the extreme to say, that no one, when Dr. Corby gave notice of moving for the grant of a Gold Medal, could have put in another notice that he would at that future day move that the word "Silver" be substituted for "Gold"? or even that he would move, that, the Society express its disapprobation of the proposed grantee's conduct? or that it should be given to Captain Jenkins? Yet these are no more than expressions of dissent to an intended motion.

* It was out of all order, we think, to speak of the President, as Chief Justice of the Supreme Court, and throw that appointment into the scale to increase the measure of his alleged offence. The Society have no concern with Sir E. Ryan, but as President of the Insti-

As to the particular case in which the President of the Agricultural Society is blamed for expressing an opinion, such blame is in every way unjust. Dr. Corbyn had made a long speech in support of Captain Charlton's claim, concluding with a positive motion that the Gold Medal should be awarded to him; and Dr. Grant, though he declined to second the motion as premature, gave his tribute of approval to the merits of Captain Charlton. Well then, this having been done, although Dr. Corbyn subsequently withdrew his motion on the ground of irregularity, is it to be said that one speech, absolutely in support of the claim, and the other praise of the claimant, may be altered, whilst those who think otherwise are to be gagged? As the principle contended for is fallacious and untenable in any form, so in the instance before us would it, if maintained, have been especially unjust. When a notice of motion is given, we consider it quite admissible for any member to express his intention to oppose that motion, and if, as in the case alluded to, speeches have been made in support of the claim, it is only equitable that other parties may express their reasons for dissenting.—*Cal. Courier, Sept. 10.*

In giving the summarial report of the late Horticultural meeting, which we laid before our readers on Thursday, we had not time, nor room neither, for those extended remarks which we considered the subject to deserve, and some of which, therefore, we now propose to offer. The independent spirit evinced by the great majority of the meeting (and joined in, we have no doubt, by the great majority of the Society) is not only commendable, in itself, but it may be set down as memorable considering that in time past it has been too much the custom for associations of this kind to allow themselves to be governed, more than became English gentlemen, by the influence of some leading individual around whom a little clique revolved who, if not absolutely servile, were at least needlessly compliant. A better cause than that which was taken up on the recent occasion could not have been chosen for the purpose of breaking down the undue influence to which we have alluded. It had all the strength of the various combination which render a cause good. The general justice of the case, the evidence, the principle involved, the importance of the subject,—in a word the merits, in its largest sense,—were on the side of those who supported and carried the grant of the medal to the claims of Captain Charlton, and in addition to these intrinsic advantages, the argument

employed at the meeting was wholly on the same side, though it is not always that the righteous cause has the ablest advocates among the speakers at a public meeting. Not only the decision came to in this case, but the whole principle involved in it, is so fully in accordance with what we ourselves put forth upon the question, and have frequently put forth upon other occasions, that we may be excused for indulging in some decree of exultation when we perceive our frequent exhortations to independence of action producing at last such noble fruit; and we cannot, but see in the present result a full confirmation of the soundness of our doctrine that, for many reasons, a Judge of the Supreme Court is in a false position when he is mixed up too closely with public proceedings of even a generally laudable nature, in the limited society of a colonial town. We do not intend to re-discuss that subject now—so fully and decidedly as we have already expressed ourselves upon it—but as no one can really doubt that Sir Edward Ryan had rendered himself fully obnoxious to the severe public rebukes which he received on the late occasion, so neither can any one maintain that the true dignity of the principal Judgment Seat is not morally affected by such an untoward circumstance; for it is vain and foolish to say that it is not as a Chief Justice that he presides over those Societies, for he is the Chief Justice, and there can be no doubt that (whether he intends or desires it or not) he carries with him the influence of that station in whatever other public capacity he may choose to appear; and when his public conduct (in whatever capacity) becomes open to animadversion, no one can forget or banish from their mind, as jurors are told to do all previous knowledge of what they are to try, the feeling that the person censured is the Chief Justice, any more than the Chief Justice can totally forget the condemnation of Sir Edward Ryan the President of the Horticultural Society. To find fault with Mr. Dearie for having, in his just and spirited remarks, spoken of Sir Edward as the Chief Justice, is therefore puerile, and something more; for unquestionably he has had greater influence in that body on account of his high judicial station, than he would have had from merely his personal qualifications for the President's office,—for which indeed his qualifications are next to nil. He seriously erred, and that too really, though not intentionally, in furtherance of injustice, when he irregularly pronounced his opinion, at the previous meeting, that the medal should not be granted; and it is perfectly absurd (to use a far

lighter phrase than is merited) in Mr. John son to speak of the impropriety of anti-madverting on that pre-date, in Sir Edward's absence, when that absence was premeditated, and when an offence had been perpetrated which assuredly the circumstance of even the unavoidable absence of the offender, when it came to be considered, would scarcely have been a plea for its being passed uncensured. If it was expected that, that opinion should at all influence the final decision (and will any one assert that in no quarter was there any such expectation?) then those who felt that it was calculated to injure the right cause, were not only justifiable in reprobating, but were bound to reprobate it, while supporting the better cause;—but leaving these considerations aside, we again say that a Judge should keep aloof from these matters altogether. Even if, as President of this or that Society, he utters but correct opinions, he is still open and liable, in the freedom of discussion, to be opposed, and to have his sentiments or proceedings handled with more or less indifference, by persons of all classes; and it was much better that such events should be avoided, as well as that a Judge should run no risk whatsoever of laying himself under even an implied obligation for vote. Touching the merits of Captain Charlton's claim, we always considered them as past dispute; and when we see such truly silly arguments (arguments!) made use of as that other persons tried to do what he did, and failed; and that therefore he is less entitled to a medal for his success, we are ashamed that such displays of stupidity should be made in any meeting of Englishmen, having fixed on it the eyes of many intelligent natives. As to the coequality of Captain Jenkins's claims with those of Captain Charlton, it is idle to talk of it; and we were sorry to observe a promise given by the advocates of the latter's title, to vote for a medal to the former if any one proposed it. We dare say this accord resulted from the momentary feeling caused by the triumph of or the anxiety for victory, which tempted them virtually to say, 'since we have gained (or, if we gain) our point we will not oppose your's'—but they acted on an unsound principle, and we cannot blame them for that much less than we have blamed the President for a similar deviation from the right path of procedure. Not one of them, if they give the question due attention, can conscientiously say that the title of Captain Jenkins is established by his having been the official channel of Captain Charlton's communications on the subject of the plant, however heartily

he entered into the cause; and the medal will indeed be made a thing of little worth if it be knocked about in that way. Captain Charlton may justly say 'alone I did it,' and if he cannot have the medal in honor of the achievement, without a compromise of this sort, it would be better for the cause of science, and the good name of the society, that he should not have it at all. Individuals should be extremely cautious, when publicly acting, how they allow feelings of exultation to make them indifferent to a continued course of right; and we do say that Doctors Corbyn, Grant, Mr Hume, and others, are as censurable for pledging themselves to support a case for Captain Jenkins (whose claims their own arguments had necessarily invalidated) as Sir Edward Ryan was for virtually voting against the claim of Captain Charlton. On the principle which they have, in an enthusiastic moment, unadvisedly yielded to, we dare say we could bring forward a claimant to the Congreve Rocket, in some one through whose medium the Colonel communicated with the Government, and so on in a hundred similar instances.* A great triumph has been achieved—independence has been asserted—right vindicated—cliquery beaten down:—let not the victory be deteriorated, and the rescued principle re-jeopardised, by a course which must effectually prove that the society have voted wrongly in awarding a degree of merit to Captain Charlton, which ought to have been divided between him and Captain Jenkins! Cut the medal in two and give each a half of it, but it is impossible that both can be entitled to the whole—*Eng. Sept. 10.*

The Eastern Star of yesterday publishes a letter from Dr. John Grant (which we republish) explaining that the Englishman was wrong in saying that Messrs. Corbyn, Grant and Hume had pledged themselves to support Captain Jenkins's claim to a medal if it were brought forward. As we were present,

* Not to mention them all, we would just ask how Columbus would fare if his claims were estimated in this novel way? In the first place, it would be urged that Greenland is a part of America, and that the Norwegians had long since discovered Greenland, and even planted a colony on a place supposed now to be Newfoundland. Secondly, as Isabella, Queen of Castile, enabled Christopher to make the discovery, she would be at least as much entitled to the medal, as Captain Jenkins is with respect to Captain Charlton,—and, indeed, a good deal more so. But, at all events, between the Norwegians and the Queen, a regular Queen Ryan party would have voted against the claims of Columbus as the discoverer of the new world!

we may say that our recollection is corroborative of what Dr. Grant has stated; substantially this—that Captain Charlton's friends would not oppose the consideration of a medal to Captain Jenkins, but that his claim was not then under discussion, and that it should be brought forward as a distinct notion, and as such discussed. We, perhaps, are inclined to go somewhat further than Dr. Grant for he will not withhold our support or the proposition even though it cannot be shown (as we know it cannot) 'that Captain Jenkins was the person to whom we are mainly indebted for having first supplied the proof of the Assam plant, being the genuine tea.' If he, or any of his friends, can show that he has done as much in the furtherance of the cultivation of the plant as entitles him to honorary distinction he shall have our votes, as we never will forgo the principle that, Societies such as the Agri-Horticultural, are for the encouragement of exertion in the fields of improvement they embrace, and have comparatively little to do (so much more frequent are valuable improvements than original discoveries) with those who open the eyes of the world to purely novel facts. We dare say the public is by this time tolerably weary of this subject, (though we have not devoted much space to it) but we cannot quit it without noticing a article in the *Courier* (it is but rarely we do such a thing) which to excuse an irregularity that has been sufficiently commented upon, asserts 'of course in utter obliviousness, what never took place at the Meeting the Editor alludes to. Thus writes the *Courier* :—

"As to the particular case in which President of the Agricultural Society is blamed for expressing an opinion, such blame is in every way unjust. Dr. Corbyn had made a long speech in support of Captain Charlton's claim, concluding with a positive motion that the Gold Medal should be awarded to him; and Dr. Grant, though he declined to second the motion as premature, gave his tribute of approval to the merits of Captain Charlton. Well then, this having been done, although Dr. Corbyn subsequently withdrew his motion on the ground of irregularity, is it to be said that one speech, absolutely in support of the claim, and the other in praise of the claimant, may be uttered whilst those who think otherwise are to be gagged? As the principle contended for is fallacious and untenable in any form, so in the instance before us would it, if maintained, have been especially unjust. When a notice of motion is given, we consider it quite admissible for any member to express his intention to oppose that motion, and if, as

in the case alluded to, speeches have been made in support of the claim, it is only equitable that other parties may express their reasons for dissenting."

Now we beg to say, that Dr. Corbyn did not make 'a long speech,' or any speech, in support of Captain Charlton's claim. His speech was substantially a commentary on Dr. Corbyn's explanation. Just at the conclusion of it, he was proceeding to argue and did say he proposed a medal for Captain C. and at this moment he was stopped by Sir R. Ryan on the ground of irregularity: or, we believe Dr. Grant had pointed out the irregularity even before the President interposed. Notice of motion was then given, and the *Courier* says 'it is quite admissible for any member to express his intention to oppose that motion.' It is really very immaterial whether he has the right or not, though we distinctly deny it. It is impossible to prevent a man uttering a few syllables of such effect, but unquestionably he is irregular in so doing. But the *Courier* goes beyond this, and says, 'speeches' were made 'in support of the claim.'—Who made them? He admits that Dr. Grant pronounced the motion premature, and sorely he will not have the impudence to assert that the Doctor afterwards argued in support of the proposition for the medal! That he said Captain Charlton had done good service to the cause is true, but he said nothing more. In an earlier paragraph the *Courier* attempts another defence of the unusual course pursued. We will give it at length, because ten words will dispose of it:—

"Dismissing this subject, let us turn to the assertion that the President or any other Member of a Society is not to express his dissent to an intended proposition at a future meeting, and against this we enter a hearty protest, because we think the objection irrational, and is never carried into effect in any Society. If such a rule were admissible, why an antagonist notice of motion could not be given; and would it not be absurd in the extreme to say, that no one, when Dr. Corbyn gave notice of moving for the grant of a Gold Medal, could have put in another notice that he would at the future day move that the word "Silver" be substituted for "Gold?" or even that he would move that the Society express its disapprobation of the proposed grantee's conduct? or that it should be given to Captain Jenkins? Yet these are no more than expressions of dissent to an intended motion."

We have said ten words would dispose of this: we may have been slightly figurative, but figures will not be outraged by the number of words we shall devote to it. 'An antagonist notice of motion' as it is paradoxically expressed, may, no doubt be given, but as a substantive motion it cannot be heard till the other is disposed of, but even if it could, how do s that let in the right to give reasons for the notice? A man of the most ordinary intelligence must see that such an antagonist notice of motion, as is here alluded to, is in plain English, an amendment upon the original motion, which can have no existence till the given proposition has been opened. We are almost ashamed of having devoted so much time to such nonsense, but the hearty and honourable testimony borne to Capt. Charlton's merits has put us in great good humour.—*Cal. Star, Sept 13.*

TO THE EDITOR OF THE EASTERN STAR.

DEAR SIR,—With reference to the Editorial comments in the *Englishman* of this morning in regard to a circumstance that occurred at the last meeting of the Agricultural Society, I hope you will be able to oblige me by the insertion of the following explanatory remarks in your Journal of this evening. Messrs. Corbyn, Hume and Grant are blamed for pledging themselves to vote for a medal to Captain Jenkins. I have no recollection of Messrs. Corbyn and Hume having pledged themselves to any thing of the sort, or even to have alluded to Captain Jenkins' having a medal conferred upon him. There are several strokes of carte and tierce in a debate which seldom are recorded in a Reporter's notes in India. Of this kind may be considered what passed relative to a medal to Captain Jenkins. The Vice President you will recollect objected to the proposal of conferring a gold medal upon Captain Charlton on the plea that it would be very unjust toward Captain Jenkins, seeing that Captain Charlton had acted only a "subordinate part" in procuring the fruit of the tea plant wherein lay the proof of its being the genuine tea of China. I confess I felt both surprised and indignant at such an objection, and said to the Vice President, do not let Captain Charlton be deprived of his right on that plea, but prove your case, and bring forward a motion for a medal to Captain Jenkins. The Vice President having reiterated his remark that conferring a medal on Captain Charlton would be an injustice to Captain Jenkins;—I said in contemplation of its bringing the question to a decision—bring forward a motion to that

effect, and I will vote for a medal to Captain Jenkins. I say so still let the Vice President or any other party, (not on a mere ipse dixit) bring in such a motion backed by the requisite documentary evidence that Captain Jenkins was the person to whom we are mainly indebted for having first supplied the proof of the Assam plant being the genuine tea, and I will vote for his getting a medal!

Your's faithfully,

J. GRANT.

Saturday, 11th Sept. 1841.

[*Cal. Star, Sept. 13.*]

When we noticed, in impartial reproof, the too ready assent which we supposed the principal supporters of the Charlton medal had given to an intended devotement of another medal to Captain Jenkins, we went by our understanding of the various reports of what took place, which though not all quite alike, yet conjointly impressed us with the belief that in the excitement of the moment a promise had been given by them that they would not oppose the proposition of which notice had been given, or which some of the anti-Charltonists had expressed an intention of bringing forward at a future meeting. We are glad to find, from an editorial disclaimer in the *Eastern Star*, and also from a letter sent to that paper, by Dr. Grant, that the apprehension we entertained was not founded on any thing that the parties we referred to had either said or meant, and that they will not support any proposal for a medal to Captain Jenkins, concerning the tea plant identification, unless there be positive proof of his bona fide title to it. For our own parts, we think that Captain Jenkins' Calcutta friends (in the Society) are of that class of 'ammer' from which he should pray to be saved, for they are thrusting him forward as a piece of resistance in a most injudicious manner, and in a way which, we are certain, will be painful to himself. Captain Jenkins is a worthy, intelligent, modest, and every way estimable man and public officer and he is the last person who would set up his own merits, in this case, against those of Captain Charlton, whose discoveries (the effect of individual skill and perseverance) he was but the official medium of communicating to their superiors. As, however, the Society have got into the injudicious, and absurd, habit of granting medals to the growers of the largest cabbages or turnips produced at the annual exhibitions (instead of having a

standard of perfection for any thing falling short of which no ' prize ' should be given, but only an encouraging reward—a point we mean to discuss more largely before the next exhibition) they might give Captain Jenkins a medal for his general exertions and zeal, but so as not to interfere with the ground Captain Charlton stands on; though the whole it will be better if the intention be, for the present at least, abandoned, as it plainly arises out of an objectionable spirit—a kind of sore, opposition feeling—rather than out of an original or spontaneous appreciation of Captain Jenkins's deserts.—else why was it not thought of before Captain Charlton's claims were on the tapis at all? *Eng. Sept. 13.*

Our cotemporary the *Englishman* has ventured upon ground which it would have been more discreet to have avoided when he talked about cliquery with relationship to the late decision to give the Agricultural Society's Gold Medal to Captain Charlton, for the *Hurkaru* was quite right when he said there was a great deal too much of partizanship in the affair—a great deal too much of personal feeling allowed to peep out on the part of some of Captain Charlton's friends—a great deal too much anxiety to carry their point—and a great deal too much of inconsistency not to lower the whole transaction immeasurably in the eyes of those who view it temperately. We have reasons for thinking that if those who opposed the motion had exerted themselves as, perhaps, did those who maintained it, the result would have been different, but its opponents neither combined in searching for arguments or in any other way. Whether the supporters of the motion acted similarly, whether they never met in conclave and whether they never canvassed for a Member's attendance, they know best. That those gentlemen who voted on the occasion voted from conviction we do not for a moment assert or think, but if those who from conviction would have voted the other way had thought there would have been any necessity for their attendance we have some idea that there would have been a very contrary decision. But this is a subject which may well remain without further discussion, nor should we have touched upon it, but for the assertion that the vote was to the defeat of a clique, but which clique exists, we believe, in the mind alone which gave birth to the statement.

We have said that some of the supporters of Captain Charlton have been acting inconsistently, and we now proceed to point out

the mode of their eccentricity. Have they not been reprobating the President and Mr. Johnson for prevoing against Captain Charlton's claim? Did they not exclaim against it as an indecorum? (ridiculously enough we admit, yet they did so exclaim) and now what have they done themselves? Why they have pledged themselves to give their voices in favor of Captain Jenkins at the next meeting! Is not this pre-voting? Is not this indecorum? If ever any gentlemen have illustrated how incompatible are partizanship and consistency they are those in question, and we leave them to the comfort of their own thoughts upon the occasion.*

With regard to the repetition ad nauseam of the opinion that a Judge should not reside over a Scientific Society—or, in other words, that neither Sir William Jones nor Sir Edward Ryan ought to have been Presidents of the Asiatic Society, nor Sir John Grant of the Mechanic's Institute, we will make no reply;—nor will we make any commentary upon the Judge last named not being attacked for acting so unbecomingly as to patronize science. These are things which we have long since answered, and upon which the public mind has long been convinced. As for the reason now assigned why a Judge should not reside over a Society of Science, viz because he is liable to be opposed; we will leave that to work conviction where it may, until we have learnt that opposition is synonymous with insult, that to yield to argument on subjects of science is a disgrace, and that those who differ in opinion upon these matters cannot express themselves with that courtesy which is becoming men of enlightened minds, and without any of the ruffianisms or personalities of political clubbists. Scientific associations are places where all,—the prince, the prelate, and the judge equally with the private gentleman and the merchant,—may and do meet throughout the world, to aid and to share in the acquirement of knowledge, and it is only when some rude, ungoverned spirits break in, who cannot meet opposition on such topics as it ought to be met—that is, as if the contest is for truth not for

* Since the above was written we are well pleased to see that Dr. J. Grant and Mr. Hume disclaim having intended to give any such pledge; and it is quite admissible that in the warmth of argument, or, as the *Englishman* says, in the extacy of anticipated triumph, they were ungaurded in their expressions, and more generous than discreet—but that many of the members and among them the editor of the *Englishman* himself, understood them and others so to pledge themselves is quite certain. We are glad the *Londoner* penitence has been of avail, and hope that some more of the declarators will expiate or retract.

victory—that such meetings can ever become almost any other cause) prints last evening disastful, and unfit not only for a judge but an impertinence, as regards some five and for a gentleman to attend. We never have twenty gentlemen, that only the Editor of yet heard of a society so degraded, nor do we the Courier could have ventured upon. He anticipates we shall see an illustration in India, and until it does occur, we shall never says, ‘that those gentlemen who voted on the occasion voted from conviction, we do agree that it is unbecoming for a judge to fill not for a moment assert or think.’ The its Presidentship, and when we do see occasion the Courier further uses it as a reproach, that the friends of Captain Charlton attended the meeting after having searched for arguments.’ Those who heard Mr. Johnson address the meeting after calling all that had been said ‘rhodomontade’ will believe with us in the sincerity of his aversion to argument, and regret with us that any man should, in a public capacity, confirm the unfavourable impression his private exhibitions as a member of the Society had created. It is insinuated also, we only wonder it was not asserted, that Captain Charlton’s friends ‘met in conclave,’ and that they canvassed for the attendance of Members. Supposing they had done so? What then? Was there any thing unfair or improper in doing so? Certainly not. But we do not admit the sitting in conclave part of the business, and are almost inclined to say it is untrue. We canvassed for members’ attendance the morning of the meeting, but we never wrote a line to say why Captain Charlton should have a medal, though the Courier wrote a great many attempting to show why he should not.—*Cal. Star, Sept. 14.*

TO THE EDITOR OF THE ENGLISHMAN.

Sir,—Conceiving that the Secretary of a public body like the Agricultural Society ought to be impartial in minuting its records I hope that Dr. Spry will not be offended if I observe that throughout the Charlton-claim discussion he has not evinced that official impartiality which the members of the society have a right to expect. Throughout, it appears to me, that he has given a place in the records of the society’s meetings, at great length, to whatever seemed to make against the Charlton-claim and with remarkable succinctness to the line of argument of the advocates of that claim. I am not now contending that the Secretary of an Association should be a Reporter of discussions held in its meeting, but I certainly think that in placing the pros and cons before the public he ought to be impartial. In the Englishman of this morning is contained a proof that the Secretary of the Agricultural Society has afforded some cause of complaint on this head, for while Mr. Robison’s speech against Capt. Charlton’s getting a medal is given at length, and copied apparently almost word for word from the Harker of the 9th instant, none of the speeches on the other side are given! Now I hope that the Secretary will not suppose, that in thus coming forward, I am swayed by any other feeling than that of an anxiety to see justice done, and as a member of the Agricultural Society, of preventing its records being made the vehicles of one sided views,

I have the honor to be,

Your’s faithfully,

J. GRANT.

Monday, 13th September, 1841.

[*Eng. Sept. 14.*]

The *Courier*, smarting under the mortification of a defeat in the Charlton case (which we attribute more to his having written against granting the medal, than

In our editorial on the subject of the medal given to Captain Charlton, there was a very greivous omission last night. We are made to say totally the reverse of what we intended, owing to the all influential word ‘not’ being omitted by the compositors. The sentence, as indeed, is shewn by the context should have been—“That those gentlemen who voted on the occasion voted not from conviction we do not for a moment assert or think, but if those who from conviction would have voted the other way, had thought there would have been any necessity for their attendance, we have some idea that there would have been a contrary decision.”

We give this prominent explanation as due to all who were present, though we think not one but must have seen the nature of the mistake.

The present is the first occasion on which we ever heard it avowed that canvassing is proper—that any private influence should be used—when the question is whether a civic reward should be conferred; and we hope it will be the last; for, the moment this

becomes a practice, from that moment a wide door will be opened to partizanship, and the influence of private feeling, motives which must be totally eschewed if such distinctions are to be preserved pure to their original intention—viz. being rewards to merit that is so evident as to require a public acknowledgement totally independent of any t.—*Col. Courier, Sept. 14.*

TO THE EDITOR OF THE ENGLISHMAN.

Sir,—Mr. Grant in his letter to you published in the *Englishman* of to-day, accusing me of partiality, very properly says, he does not wish to contend that the Secretary of an association should be 'the reporter of discussions held at its meetings.' As far as the Agricultural and Horticultural Society is involved in this declaration, I can safely say that even if the inclination existed, there would be no means of gratifying it, for the Society has always too many valuable facts to dispose of to admit of more being done than record them in an acceptable form. This it has been my desire to do. To give a speech that has occupied an hour in delivering, I do not feel myself qualified.

The sentiments of a President or Vice-President who happens to fill the chair, I hold, however, in a very different light to the party declamations of a member. As the selected official organ of a Society I consider his sentiments, pronounced as they are ex-cathedra, to be always deserving of record. Every Institution as far as I know, and I am acquainted with several, looks for the opinion of the personage whom it has selected to preside over its affairs as an authority whereby its judgment may, in part, be formed, for it is not to be conceived that a public body of men constituted as a Society is, should deliberately choose, on account of qualification, a person most fit in their opinion to be their President and then altogether to disregard his dicta. As presiding over the affairs of the executive he must be more conversant with the business of the Institution than an ordinary visiting member, and he is called on, at times, to express sentiments inimical to the wishes of some members, but calculated notwithstanding, to meet the general interests of the body at large. These are the motives I have for endeavouring to let the numerous members of the Society, who reside in the interior, see what the presiding authority says, whenever any particular question arises, but I never have given nor do I mean to give a report of individual speeches.

It occasionally happens, as was the case at the last meeting of the Society, when an application of the Court of Directors of the East India Company was agreed on, that business will be brought forward by a member, which, for elucidation and for the information of those absent, will demand some explanatory observations, and then such have found a place; but never has it been attempted to incorporate in the records of the Institution the discursive reasonings of party-disputants.

However illiberally Mr. Grant may judge of my motives, I yet trust it will be found that in the course I have pursued, I have acted consistently and correctly. While I have the honor of conducting the Secretariat of the Institution, it will never be made, as insinuated by Mr. Grant, the vehicle of one-sided views. My endeavour has been throughout the late unpleasant discussions to avoid all partizanship, and I have allowed the archives of the Institution to be alike available to both parties. To Capt. in Charlton, though he is not a member of the Society, I have readily given access to the *M. S. Journals* and other records of the Society, and I have not hesitated to afford every facility in my power to meet the wishes of all concerned.

I have the honor to be, Sir, your's faithfully,

HENRY H. SPRY, M.D.

Englishman, September 16]

It is due to the *Courier* to mention, that in yesterday evening's issue he states, that when he said the gentlemen who voted for a medal to Captain Charlton did not vote according to their conviction, he meant they did. We notice this in justice to our cotemporary, but not to any one else, since it is utterly unimportant what he meant. But unimportant as his remarks on this, or any other case may be, we will put him down in the Charlton matter to the last, because he began his opposition to the medal by an irregular speech when the subject was not under discussion; because he wrote against it immediately; because he very coolly made assertions in his late speech, which the documentary evidence produced directly contradicted; and because he now seeks to fix charges of improper conduct on Captain Charlton's friends. This *Courier*, after explaining away the insulting remark we challenged him with yesterday, proceeds to lay the foundation for a rather explanation. He writes:—

'The present is the first occasion on which we ever heard it avowed that canvassing is proper—that any private influence should be used—when the question is, whether a scientific reward should be conferred' Let him adduce his instances of "private influence" or let him add one more to the list of imper tinencies—not to be resented. Private influence to induce gentlemen to attend, and hear, and vote, that a Society may not be stultified to save a member, is legitimate ; but this is not what is meant, and what is meant we deny.—*Cal. Star*, Sept. 15.

TO THE EDITOR OF THE ENGLISHMAN.

Sir,—I beg most heartily to thank the worthy Secretary of the Agricultural Society, for his clear and convincing reply to my letter. The admirable Manager Puff, you will remember, has it as a rule, that a heroine should go mad in white satin, and her confidante in white linen. Analogically I presume, the dicty of a Vice President are to be carefully culled from the columns of the *Hurkaru* for the Agricultural Society's archives, but those of a mere mortal member are not even to be wrapped up in white linen. Dr. Spry declares in his reply to my letter of yesterday, that, 'while he has the honor of conducting the Secretariat of the Institution, it will never be made, as insinuated by Mr. Grant, the vehicle of one-sided views.' Now, I can assure the Secretary, that I have a thorough dislike to that same weapon called insinuation, and that so far from using it in my letter, I made a fair, frank, and above-board appeal. I might have admonished the Secretary anonymously, but I preferred the manlier part of stating my objection to the course pursued *propria persona*. Not the least amusing part of the story is, that while protesting against my insinuation (insinuating dog that I am!) that there was any one-sidedness of view on the Doctor's part—his own communication (I say it in a good humour) is about as one-sided a production as I should like to see on a summer's day. The pith of the epistle amounts to this, that while a member's facts or partisanship may be quietly burked with a—'Mr So and So spoke for the motion'—a Vice President's partisanship is a valuable fact to be laid up in white satin and lavender, in the archives of the Society—which archives will to posterity present the unique appearance of ratiocination being a quality only of the speeches of Vice Presidents! A member's partisanship—fie! the Secretary cannot abide it 'oh it is rank and

smells to heaven'—like the Regicide's crime—but a Vice President's! Ah that is quite a different thing.

Venimus huc lapsis quesitum oracula rebus. We go to the Agricultural Society to listen with profound respect to, and to record the sentiments of vice Presidents only.

'When his faltering periods lag
Or his yawning audience flag;
When his speeches hobble vilely
Or the house receives him drily

Cheer, O! cheer him Brother Bragge!

Cheer, O! cheer him Brother Hiley!

Dr. Spry informs us that 'he has endeavored throughout the last unpleasant discussion to avoid all partisanship.' To all the Doctor's efforts should be crowned with the like success that has gilded his endeavors to be impartial in this matter, he will be singularly fortunate!
Yours faithfully,

15th Sept. 1841.

J. GRANT.

P. S.—Entreat your Printer to be propitious—and not make me break *Priscian's* head as yesterday, when he represents me as referring to 'discussions' in meeting—instead of 'discussion at meetings.—*Eng. Sept. 16.*

TO THE EDITOR OF THE ENGLISHMAN.

Dear Sir,—On its first introduction to the Agricultural Society, I deprecated our rooms being made the arena on which Capt. Charlton's claims to priority of discovery of the Tea Plant of Assam should be discussed. Every word I have heard, every sentence I have since read, confirms me in the justice of that opinion.

To say nothing of the time of the society having been solely occupied for three days of meeting in this discussion, and a promise of at least one more, I would ask, are we a society for 'Carle and Tierce' practice, or for the promotion of agriculture? In becoming the former we have decided an important question, to which, I think, we were incompetent; not only on grounds distinct from those set forth in the motion which claimed the award, but in direct opposition to the evidence before us, whether the year 1832 as stated in Doctor Corbryn's proposal, or 1834 as laid down by Mr. Hume be the period of the discovery. Now you will be surprised to learn that not one of those individuals said a single word to the effect of giving him a medal; the proposal originated with the friends of Captain Charlton, and

though Dr. Grant and Mr. Hume have each shown that their support was conditional, others of the party were not so guarded, and I could name some who cried out, 'then we'll give him one too' after the meeting had broke up; at least those who came to carry Dr. Corbryn's motion had withdrawn, Mr. Stirling drew up that which appears in the proceedings.

In a mere encounter of men's wits, there is no great harm in raising a laugh at the expense of good beef, potatoes and cabbage in favor of that compound of smoke and stink, tobacco, or, as Mr. Hume called the tea, drink of old women; but I am surprised at the piteous grave and reverend signors of the press seriously telling an Agricultural Society that the first mentioned are, to them, matters of little comparative moment compared with a discovery which will transfer the supply of an article of luxury from a rich and able customer, who for every pound of tea he sells, buys a yard of British cloth or pound of British cotton, to a jungle where every ounce is collected by imported labourers, who consume nothing but rice and chillies grown on the spot. With the letter of Mr. Scott before them, announcing his having done in 1825 and, nay, more than Capt. Charlton did in 1832, for he sent leaves and the seed preserved for inspection, and a drawing of the seed to Dr. Wallich, the society could not well have decreed that Captain Charlton's exertions in 1832 were prior, or produced better fruit, for in fact, neither produced any; they were both treated with even handed neglect. Of this Mr. Hume was too good an advocate not to be sensible, and accordingly shifted the ground of claim to the first useful result, and 'triumphantly quoted' a passage in a speech of Lord Brougham at a mechanic's meeting awarding the discovery of the steam engine to Watt for his improvements, in preference to Newcomen who had invented and worked a steam engine years before. And here I say, we voted in direct opposition to the evidence before us, which consisted in the first place of the letter of the Tea Committee, announcing their conviction, that the plant of Assam was the true tea, and in their first paragraph giving the honor of producing this happy result to Captains Jenkins and Charlton conjointly; and surely no person not anxious to make a point could translate their omission of Captain Jenkins' name in another paragraph of the same letter, as tantamount to cancelling what they had asserted before; but in addition to this we had the direct testimony of Mr. Robison, confirmed by Ram Comul Sen, both members of the Tea Committee, that in 1834, Lieut. Charlton

acted as a subordinate to Captain Jenkins in the matter of tea; and that no mistake may rest on the unlucky word which excited Mr. Grant's indignation, I beg to submit a question as proposed by Major Carter and answered by Mr. Robison.

'In using the term 'subordinate' do you wish the meeting to understand, that the plant, fruit, &c. sent down by Lieut. Charlton in 1834, were so sent at the request or by order of Capt. J? Answer—'Yes, certainly.' Now, I ask you, Mr. Editor, to produce one iota of evidence to rebut that of the two members of the Tea Committee; it may have been incorrect, say even absolutely false, but most certainly the meeting had no means of so deciding. I should not have troubled you at all on the subject, had you not in your editorial of this morning attributed malice animus to those who on the 'evidence' before them seemed to think 'Capt Jenkins' exertions in 1834, equal at least to those of Capt. Charlton, and so entitle him to a medal, and those who scarcely wear a rag to cover their nakedness. This was written last night, I have just seen Dr. Grant's letter in your paper of this morning, which adds great strength to the feeling with which I set out. Ours is not a society for wordy warfare, but for the cultivation of the first of the Arts of Peace.

Your's Mr. Editor,

ONE PRESENT.

September 15.

☞ The subject has been worn so completely thread bare that we do not think it necessary to continue the discussion in any of its subordinate branches—ED.—*Englishman*, September 16.

D. Spry, M. D. Secretary to the Agri-Horticultural Society, has written to the Editor of the *Englishman* quarrelling with a letter which appeared in that Journal on Tuesday from D. Grant, pointing out that Dr. S. had not observed official impartiality in minuting the records of proceedings. Dr. Grant states the ground for his assertion; namely, that the Secretary had given in the Charlton medal discussion, with remarkable succinctness, 'the line of argument of the advocates' (query, opponents?) of that claim, that he had 'copied apparently almost word for word from the *Hurkaru* of the 9th inst.' Mr. Robison's speech against Captain Charlton's getting a medal, while none of the speeches on the other side were given. Dr. Spry evidently flatters himself that he has answered this charge of

official partiality, whereas he has simply denied it. We are sorry to write any thing that may be disagreeable to the Secretary, but we think he is confirmed rather than refuted Dr. Grant's charge. We shall prove this very briefly by the aid of Dr. Spry, who evidently has erred, in ignorance of the exact position a President or a Vice-president holds in the Society. The Secretary labours under the mistake of imagining that these officers are installed for the purpose of guiding the Society, or rather dictating to it. He has a profound horror of the daring notion that men are to think for themselves. 'It is not to be conceived,' he exclaims, 'that a public body of men constituted as a Society is, should deliberately choose, on account of qualification, a person most fit in their opinion to be their President, and then altogether to disregard his dicta.' We confess we should hardly have expected such extremely crude notions from Dr. Spry. But since they mislead him, and are calculated to make him a very inefficient Secretary—to more than counteract the advantages gained by his zeal and industry—we must explain to him that a President ought to have no more influential voice in the decision of any question than the humblest Member of a Society, that he is the President, to preside over Meetings and not to guide them, in any other matters than matters of form. When he speaks to them he speaks authoritatively; when he speaks to a subject under discussion he speaks simply as a Member. This may shock Dr. Spry, but as his experience becomes enlarged his horror will diminish.

Dr. Spry puts down all a President or a Vice President says as Gospel: what falls from any one else is 'party declamation' or the discursive reasonings of party disputants, which no doubt an impartial Secretary is bound to pass over as altogether worthless, although it may be that an impartial meeting has voted the 'dicta' of a Vice-President 'the worthless part of a morning's argument, and the 'discursive reasonings' somewhat conclusive. We are sure that the multiplicity of Dr. Spry's engagements must have seriously interfered with his preparation of the late Report, or he would certainly have drawn it up with some reference to his own avowed opinion, that what falls from the President (or Vice-President) is 'always deserving of record.' We do not find that he has recorded what fell from Mr. C K Robison. He has recorded so much as might, unexplained, have told against Capt. Charlton's claim, but he has not recorded a syllable of the glaring, inexplicable inconsistency of that Gentleman's speech, which was

exposed; his having asserted, and called upon Ram Comal Sein to corroborate him, that the Tea Committee had always considered Captain Charlton had acted 'rather a subordinate part' in the establishment of the fact of the tea plant being indigenous to Assam, in the face of a letter from the Tea Committee signed by Mr. Robison himself, as a member, in which it is distinctly asserted that Captain Charlton having sent down the fruit, the fact had then been established beyond all doubt. Perhaps Dr. Spry will tell us that in this Mr. Robison spoke as a Member, not as President of the day. We will take it so, and leave Dr. Spry to convince the public of the importance of preferring his Presidential speech to all else that transpired, and how invaluable it is for elucidation and for the information of those absent! Dr. Spry calls the late discussion 'unpleasant' To whom? The fullest morning meeting of the Society we have never seen, sat to hear what was to be said on the one side and the other, for nearly three hours, and then came to the conclusion by an overwhelming majority, (the minority was so small that they did not even hold up their hands) that Captain Charlton had well earned the proposed honour. He and his friends were pleased: to whom it was unpleasant?—*Calcutta Star, September 16.*

TO THE EDITOR OF THE BENGAL HURKARU.

Sir—Permit me to occupy a portion, and not, I fear, a small portion of your paper on the Assam Tea gold-medal question, which seems to me to have taken a turn, calculated to do infinite mischief to the 'Agricultural and Horticultural Society,' if not checked by the good sense of the members. I allude particularly to the personalities, which have been so improperly pressed into the discussion, first by the Englishman newspaper, and secondly by one, if not two, of the speakers at the last meeting—personalities reflecting, however, in my opinion far more severely on those who had recourse to them than on those who were the object of them. For what was the real character of these personalities? That the members of a voluntary association, paying equally their contributions, and meeting as gentlemen for purposes of public utility, were so mean and so servile, as to surrender their own conscientious opinion on the matter before the society, to the ipsedixit of the President, not merely quasi President, but as Chief Justice, without reference to the merits. That was the imputation which the paper I have mentioned (and which comes forward as the advocate

of Captain Charlton's claims) has from the first mooted of the question endeavored to convey, doubtlessly in the hope, that in a large body, some few might be found, susceptible of the moral cowardice—the fear of being thought afraid—which leads to a course of action, not in accordance with a sense of right, but in assertion of a certain affected independence; and yet I have no doubt Messrs. Strickland, Stoeckeler, Holzkinson, Corbyn, Pembie Strong, James Hume and the other members of the society, who opposed Captain Charlton's majority, would consider themselves, and justly so in my opinion, much aggrieved, if any public paper had described them as an anti-Ryan party giving their votes and speeches, not from any regard to the merits of the case, but from opposition to the President, and a kind of valourous d—me, who cares for him." But if personalities of this description are always unfair and discreditable to those who use them, they were on the present occasion also most inconsistent. The charge brought against Sir Edward Ryan was, that at the August meeting, he had expressed an opinion unfavorable to Captain Charlton's claim to the Gold Medal, as urged by Dr. Corbyn.

But is it not a little singular that the parties who censured the President for what he said in August, were silent on what he said in July? Then there was no insinuation that as "Chief Justice" he was desirous of biasing the opinions of the members; and yet I find, at page 22 of the proceedings of the Society for July, that Sir Edward Ryan expressed himself favorably to Capt. Charlton's pretensions to the priority of discovery of the Tea Plant, so far as the existing means of information before him enabled him to form an opinion; but, of course, as a man of candour and common sense, reserving his ultimate decision, until in possession of more ample knowledge than was obtainable by an *ex parte* statement. I also find at the same page, that Captain Charlton had called upon Sir Edward Ryan with his papers, before they were submitted to the Society—a fact, which I leave to Captain Charlton's friends to reconcile with their asserted sturdy independence of presidential influence.

Not that I should have found fault with Captain Charlton for this appeal in his favor to the President, because I am of opinion that the views of any gentleman, selected for the situation of President from the interest taken by him in the objects of the Society, and fully justifying the selection by the time and attention devoted to promote its success, ought to have, *prima facie*, a considerable weight with the members

generally on subjects connected with its economy. But I do blame Captain Charlton's friends for sinking this appeal, when its result seemed in his favor, and subsequently characterising the final decision, as something very monstrous and unheard of.

The truth is, however, that the President or any other member of a Society is fully justified in stating his naked opposition to or approval of any proposition, when that proposition is first made. It is the common practice done every day, from the Parliamentary tinders of St. Stephens to the social disagreements of the club of ODD FELLOWS at the "Pig and Whistle." Lord MELBORNE said "he would not oppose the noble Baron on the cross benches bringing in his bill, but if he were enabled to attend in his place, he would meet him on every clause." "Mr.

DIP roundly swore, he would not stand no nonsense of reducing the four muttonfats to two, as insinuated by the gentleman now hopped the chair. It was dark enough already, and Saturday week, and he halve and kicking he would vote a amendment there should be six muttonfats." Such is the rule of all associations, high and low, and to suppose that one party is to make long speeches in favor of motions, intended for subsequent discussion, and other, the opponents of such motions, are to hold their tongue, is a palpable absurdity unworthy of a woman's attention.

I will now touch on the merits of Captain Charlton's claims. It must be kept in recollection, that the claim first advanced on his behalf was "the discovery of the Tea Plant," and inferentially that the gold medal given for that discovery to Mr. Bruce by the Society of Arts at home, ought to have been given to Capt Charlton and would have been so given, had not Dr Wallich withhold from the home-authorities a paper, decisive of the fact. Now this paper, it was satisfactorily seen by Dr. Wallich, page 12, of August proceedings, was not of a character for transmission, being merely a circular letter from the Secretary of the Tea Committee, expressive of his own opinion, to the members; but the subject matter of it was regularly discussed at a subsequent meeting of the Committee, and the conclusion, at which they arrived, was officially made known to Government in a letter dated the 24th of Dec. 1831. This conclusion, and Capt Charlton's own admissions, (pages 24 and 25 of the August proceedings) proved—not that he had discovered the Tea Plant in Assam, but that his and Captain Jenkins execution had at last subdued the scepticism of Dr. Wallich, as to the genuineness of the plant;

and the happy accident of a Tea Committee under the authority of the Government enabled the Doctor to cherish his new-born faith with proportionate zeal. The idea, therefore, of asking for a gold medal for the discovery, was dropped; and it was proposed to give it as an acknowledgement of Capt. Charlton's powers of conviction over the Tea committee and its hitherto incredulous Secretary—a very different thing it must be acknowledged from the original claim. But now say the friends of Captain Charlton, the "discovery" is of no moment—no consequence at all. It is the improvement of the discovery and its adaptation to purposes of public utility, which is every thing. And this position was illustrated by a quotation from Lord Brougham, who awarded to Bolton the exclusive honor of the Steam Engine; for whatever had been the previous floating impressions on the power and use of Steam, he had brought it first to practical perfection. The analogy of this illustration is not in my opinion sound. If the Bruces and Mr. D. Scott had sent down spurious specimens of the Tea plant, and that the discovery of the genuine shrub had been reserved for Capt. Jenkins and Capt. Charlton, (it is impossible to separate these gentlemen,) then there would have been something in it. But it has never been pretended for a moment that the genuine Tea plant was not known to the Bruces and Mr. Scott—and Mr Bruce very properly states, page 35 August Proceedings, that "it was no fault of his, it was not known to others." In the Steam Engine, Mr. Bolton did not require the fiat of any Committee or Secretary to establish the character of his own work. He could well say, "alone, I did it." Not so, Captain Charlton, who but for the assent of the Tea Committee and its Secretary, might have lived to see exertions similar to his own, brought forward by his successor, after his own removal from Assam, before another Committee and another Secretary, and a similar reward claimed. The inevitable result, therefore, of this line of argument, is that Dr. Wallich himself ought to have the gold medal, for, without his dictum, neither Captain Jenkins nor Captain Charlton would have been there advanced than their predecessors.

But am I ashamed of or grateful for the exertions of these Gentlemen in driving the fact of the existence of the genuine Tea plant into the head of Dr. Wallich? Certainly not. I would confer on both such mark of the society's consideration as those exertions fairly entitled them to, without compressing the earlier claims of the Bruces and Mr. D. Scott, to whom, by the

printed papers and the unexceptionable evidence of Major Steeman and Wilcox, the merit of the original discovery is due, and who ought not to be deprived of their honors because secretaries and Tea Committees did not then exist or did not then believe.

I am, Sir, your obedient servant,

A MEMBER.

P. S.—Since writing the above, I have seen Dr. Grant's letter, complaining of what he calls "one sidedness" on the part of Dr. Spry; but the Doctor has not, I think shown his usual sagacity here. Is he sure our worthy Secretary is not a "Charltonite"? I imagined he omitted the speeches on his own side on purpose, and I admired his discretion exceedingly. One of the papers, if I recollect rightly, said something about "bad speeches spoiling a good cause." However be that as it may, I should be sorry to see our occupation of rearing peas and cauliflowers turned into training orators. I like the Turtons of the day better in our courts than in our gardens.—*Hurk. Sept. 10.*

The medal minority are so completely on the wrong side of the question that we may allow any of them to say anything they please, in what the Hukaru and Courier would call 'abuse' of us for our support of the right side; and for the pains we have taken, on this and all other public occasions, to preach up resistance to undue influence and to clique manœuvring, and therefore we shall not take any notice of the venenous tirade about our 'personality' which a writer in the Hukaru of yesterday puts forth, for indeed we have a great contempt (and have often expressed it) for the puling which whines about personality whenever it can make no stand against fair and vigorous argument. But we would just take up a few lines to set our whimpering friend right in regard to his charge of inconsistency against those who, finding fault with the course pursued by the President on Doctor Corbyn's notice of motion, did not find fault with a previous expression of his opinion in favor of Captain Charlton's claims as the substantial discoverer, or demonstrator, that the genuine tea plant was indigenous in Assam. The difference between the two occasions was this, namely, that on the last one there was no question before the meeting, but simply a notice that a question was to be brought before it after a rather long interval of time; whereas on the previous occasion there was a discussion of a subject, in regard to which every one present had a

right to give his opinion. We found no fault with the President for having subsequently retracted, or qualified, the opinion he then gave; and if he had stopped there he would have heard nothing from us about an attempt at undue exercise of influence, in having said he was opposed to a question at the discussion of which he did not intend to be present; and certainly should not, under that resolve, have given himself a sort of proxy vote which might carry as much weight as if given at the right moment and in the usual way. The instance (whether real or invented) brought forward of Lord Melbourne having said, on notice of a motion, that if he were enabled to attend, he would meet the mover on every clause, is not very much in point; for at all events he meant to be present and to hear arguments, if he could; but in this case the president had premeditated an absence, and thrown in his vote virtually, before he heard what the mover had to say! If we had censured the president for the retraction of his opinion, in the instance already mentioned, there might have been a charge of unfairness or misjudgment brought against us; but it is convenient for some people to forget that we act impartially, and blame, as we commend, conscientiously, and that our pages can furnish very numerous instances of our conferring praise on men for whom we have no personal esteem, and to whose public conduct we are often, if not generally, opposed. As to what the *Hurkaru's* correspondent urges against Captain Charlton's claim to the medal, the ground has been gone over thoroughly already, and his puerilities of argument been over and over again refuted, so we may leave him to the enjoyment of whatever triumph it may be to appear in the *Hurkaru's* pages, like the Bull in the China ship.—*Eng. Sept. 17.*

TO THE EDITOR OF THE ENGLISHMAN.

Sir.—It is pleasing to be placed by the commendation of Mr. Grant. Who would not always strive to meet so great reward? My letter of yesterday is pronounced 'clear and convincing.'

So may my lady's prayers prevail
And Canby's too, and lucid Bragge's.

To be sure there is some slight discrepancy between the beginning and the end, but the discrepancy I contended for is not denied and

As to what is incomprehensible
I dare be sworn 'tis full as sensible.

And therefore, if you please, we will take the great principle on which I based my consistency as Grant-ed.

What then remains? Why Mr. Grant is anxious that the world should know that the revered speech, the 'oracula' was derived 'word for word' from the pages of the *Hurkaru* newspaper, and he, unfeeling man, galls me by a repetition of the assertion as if the poignancy of the first thrust was not enough, and stood a chance of being hid amidst the white linen folds of my confidence. Some dear creature doubtless who had come to my rescue at the moment.

However; there we have it again, 'the d—d spot, and now no one can remove the stain. Sinful man. I must bear it! To copy a speech apparently ALMOST word for word from the *Hurkaru* newspaper!' Was ever such barefaced effrontery before practised! To be sure, I did not see, nor do I now exactly understand, the harm of giving oneself a lift by a little bit of pilfering now and then, and so I submit to sit under the dark some imputation till the admirable Manager Puff became too much for poor dear Sir Fretful Plagiary, and he was even goaded to the war. It may therefore be as well that we should now reconsider the wisdom of the resolution, and think whether it would be advisable to tell Mr. Grant, in as quiet a manner as possible, lest 'the wind should visit his face too roughly' that the only mistake he has made is that the *Hurkaru* newspaper borrowed from the Society, not the Secretary of the Society from the *Hurkaru*. 'That's all,

'God shield us! a lion among men is a terrible thing.'

Your's faithfully,

HENRY H. SPRY, M. D.

Eng. Sept. 17.

At the meeting of the Agricultural Society held on the 8th instant, the question of conferring a Medal on Capt. Charlton, for his successful exertions in identifying the tea of Assam with the genuine tea of commerce, which gave the first impulse to the cultivation of the plant in that province, was discussed with unusual animation. The President and Dr. Wallis were both absent; and the members confirmed the opinion which had been delivered by the latter in 1834, that a more glorious discovery had not been made than that of Capt. Charlton, by voting him the Medal by an overwhelming majority.

Such a result was quite unexpected, after the President had at the meeting of the

previous month delivered it as his opinion, that Capt. Charlton's claims had not been substantiated. It proves to a demonstration that the Society is by no means that servile body which it has been represented; and that there resides in it a latent spirit of British independence, which only requires a fit occasion to draw it forth into action. How far we are indebted for the vote to the absence of the President, it would perhaps be invigilous to enquire; but there can be little doubt that the discussion owed no small share of its freedom to this cause.

The influence which a Chief Justice exerts on the judgement of a Society composed of the ordinary members of the community, when he is selected to preside over it, is inseparable from his elevated position in life. Of that influence, it is impossible for him to divest himself, however much he may desire it, and even labour for it. The members of the Society cannot banish from their minds the idea that the individual who presides over their deliberations, is the same who represents the Majesty of the Laws in the highest Court of Judicature; and the deference which is justly paid to the Chief Justice on the Bench, is naturally transferred to the President's chair when occupied by the same personage. It is impossible for the Chief Justice to preside over any assembly without rendering it to considerable extent a bed of Justice, and checking the freedom of deliberation. His is one of the "inconveniences of eminence" to which Sir Edward Ryan is inevitably subjected while he continues to occupy the high post in the administration of justice in this country. And the members of the Society must therefore make up their minds to take the inconvenience with the advantage. We do not pretend even to insinuate that the Society has not derived great benefit from the Presidency of Sir Edward; that his ardour in the pursuit of whatever he deems beneficial to mankind, his habits of punctuality, his zeal and perseverance have not contributed to raise the Society to its present eminence; but it has been necessarily purchased by a certain sacrifice of individual freedom on the part of the members. It is not for us to strike a balance between the advantages which have sprung from that zeal and energy; and the inconvenience which has resulted from the deference which his presence has inspired. Neither indeed is this exactly the moment for a calm and dispassionate estimate of the account. Indeed, we much question whether any correct judgement can be formed on the subject, till the Society has had the experience at some future time, of a President divested of all official distinction.

Some animadversions were made at the meeting on the impropriety of Sir Edward's having delivered his judgement on the subject at the previous meeting; and having thus thrown the weight of his opinion into the scale, before the discussion came on. On his point we must be careful to avoid the error of a harsh judgement. In the meeting of the previous month, Sir Edward had declared that his opinion, from a perusal of the documents, was favourable to Capt. Charlton's claim. It was after Dr. Wallich's justificatory memoir was read at a subsequent meeting that Sir Edward changed that opinion. The right of private judgement which the members claim for themselves, they must not deny to others. We are not therefore to suppose it impossible that this declaration may have been the impulse of the moment, or the result of a conviction that Dr. Wallich had made out his case satisfactorily; and that it may not have been intended to influence the opinion of others. In the peculiar circumstances of the case, however, we cannot but consider it premature and injudicious. But whatever error of judgement it might involve, that error has been fully redeemed by the wise course which the President subsequently pursued, in absenting himself from the meeting, and restoring to the members an unlimited freedom of debate. — *Friend of India*, Sept. 16.

We have received a long letter from Mr. C. A. Bruce, of Assam, relative to his claim as the first discover of the Tea plant in Assam, in which he asks us to defend him against the attacks which the Englishman has made on him. Although we have generally coincided with the views of our contemporary on this question, we do not hesitate for a moment to publish the letter. It is a matter of simple justice to Mr. Bruce. But it happens that the letter does not in the least degree alter the merits of the question as decided by the Agricultural Society at the last meeting. It leaves Capt. Charlton's claim untouched; but it places in a pleasing point of view, Mr. Bruce's connection with an enterprise, which promises such large national results.

Mr. Bruce's letter is based upon the fallacious idea that Capt. Charlton claims the merit of having been the first to discover the Tea plant;—he disclaims this merit as much at the present time, as he did to Mr. Bruce in Assam. He claims no other merit than that of having been the first to turn this discovery to account by having demonstrated to the Tea Committee, the identity of the Assam Tea with the Tea of commerce. Mr.

Bruce himself states, that he has no inclination to dispute this claim. What cause of dispute then is there between the parties?

But though Capt. Charlton is no competitor for the honour of having been the first to discover the tea, Mr. Bruce is not without rivals. Major Sleeman in a letter just published in the papers, states that Major Latter was acquainted with the existence of the tea long before Mr. Bruce obtained the plant from the Beesa Gaum. In Dr. Buchanan's unpublished manuscripts in the library of the East India Company, there is also a distinct notice that the tea plant grows in the the Northern parts of the Burmese Empire. Though we have every confidence in the narrative of Mr. Bruce, it would be difficult, while these prior claims exist, to award him the merit of the first discovery. At the same time, it is highly probable that he may have been the first individual who obtained tea plants in our own territories.

Those plants, however, were not recognized as identical with the tea of China and of commerce. Six years after the tea plant had been obtained by Mr. Bruce, at so late a date as February, 1832, Dr. Wallich had so little idea that tea was to be found at all in our own provinces, that in a paper drawn up for the Court of Directors, he simply observes that several species of the genus *camellia* had been found in Assam in a wild state. At the same time, when proposing that efforts should be made for introducing the tea plant into India, he speaks of the possibility of its being cultivated in countries in which it was foreign; which he would not have done if he had had any idea that tea was actually indigenous in one of our own provinces. It is also worthy of remark, that the provinces which he then considered most favourable for the tea plant, as having the same character of soil and climate with the tea districts of China were, Kamboon, Gurwal and Sirmore. Here we have not a word of Assam, not even of its being a country congenial to the cultivation of tea.

Meanwhile a Tea Committee was formed by Lord William Bentinck in Calcutta, in order to promote the introduction of the tea plant into India; and this body, at so late a date as March, 1834, eight years after Mr. Bruce's discovery, were so entirely ignorant of the existence of the tea plant in Assam, that they state themselves to be even then unable, without farther information, to point out specifically the situations in which they could with confidence recommend that the experiment of cultivating it should be made. They remarked generally that the lower hills and vallies

of the Himalays range, would be the surest locality for the attempt, as well as the Nilgherries; but they said not a word of Assam. On the contrary, they proposed to send Mr. Gordon to China, at an expense of Fifty or Sixty Thousand Rupees to procure plants and seeds, and to engage Chinese cultivators. Mr. Gordon was accordingly sent there.

It was in this state of things the exertions of Capt. Charlton produced an entire revolution in the ideas and plans of the Tea Committee and of Government. He had cultivated the Tea plant in his own garden at Suddiya, though he makes no pretension to the original discovery. Seeing that Government had deputed a gentleman to China to obtain plants and cultivators, and was preparing plots of ground in Northern India for their reception, he was resolved to undeceive it, and to demonstrate that it was the genuine tea of commerce, and not the *camellia*, which Assam possessed. He was anxious that public attention should be immediately drawn to that province. He had made good potable tea; and he sent a jar of the leaves down to Calcutta, together with the seeds of the plant, through his superior officer, Capt. Jenkins. On the back of Capt. Charlton's letter Capt. Jenkins wrote. "I have only time to send this, and to say I have sent a jar of tea leaves and a box of seeds, to go by this day's dak. I hope you will see that there is no doubt ours is genuine tea, as it appears to me."

This communication, with the leaves and seeds reached Calcutta on the 6th of December, 1834, and it threw Dr. Wallich, as might naturally have been expected, into an extacy of delight. His feelings partook of the same enthusiastic rapture as those of Columbus when he first saw land in America. The very next day he wrote to the Tea Committee announcing the glorious discovery, and proposed that a Botanical deputation should be immediately sent to Upper Assam to examine and report on the subject. Soon after, Mr. Gordon was recalled from China, and the attention of Government was from that time forward uninterruptedly directed to the cultivation of tea in Assam. Mr. Bruce will perceive therefore that Capt. Charlton's claims to the medal do not militate against his own claim to the original discovery. That claim he has to settle with those who are said to have discovered the tea before him. But his discovery of the plant, as he will find led to no practical result for eight years. Not only was the tea, not recognized as the genuine tea of China, but so late as 1834, Assam was not considered a suitable region for the cultivation of

the plants which Mr. Gordon was deputed to bring from China. It was owing to Capt. Charlton's exertions in 1834, that the identity of the plant with that which grows in China was demonstrated; that a Deputation was sent up to Assam to explore the tea tracts; that Mr. Gordon was recalled from China, and the undivided and strenuous exertions of Government were directed to the province of A-sam, as the future rival of China. Capt. Charlton is therefore justly entitled to the medal, whatever Mr Bruce may have done before him.

And Mr Bruce is also fully entitled to the medal he has received, which we now find was given him 'for discovering tea tracts, and cultivating and preparing tea in Assam.' Since his appointment to office under Government, he has been assiduously employed in exploring the localities of the tea plant, and improving the cultivation of it; and there can be no question that the zeal and perseverance which have distinguished his labours, render him worthy of the honour he has received. Both the Society of Arts and the Agricultural Society have judiciously left the question of the original discovery untouched. It is an historical enigma, which must be decided by posterity. Already have two competitors appeared in the field, and for aught we know, there may eventually be as many claimants as to the birth place of Homer. Mr. Bruce has therefore, done wisely in putting his claims on record in the clearest manner. The proofs he has now adduced in support of that claim will be candidly weighed by those who may eventually have to decide the question, and there is a strong probability that the plain will be awarded to him, even though he should not live to enjoy the triumph.—*Friend of India*, Sept. 16.

We publish among our Extracts two Articles from yesterday's *Friend of India* on the Charlton Medal case, because we have no idea of allowing obstinate misrepresentation to have its way. We may here notice that the whole of the Press of Calcutta agree upon the propriety of the vote passed by the late Meeting, with the exception of an evening paper: this will no doubt have had some weight with the public, or rather such portion of it as think the subject too dry for personal investigation. The *Friend* also publishes a long letter from Mr. Bruce, which is about the most unfortunate and inconsistent production we ever met with. The Englishman and Hurkaru both gave us letters yesterday on the subject, evidently written with very imperfect understanding of how the

matter really stands. We do not intend just now to write another article on the subject; we will contrast some statements that must be reconciled before we think it worth while to notice the Anti-Charltonists further.

Yesterday the Englishman of the 15th and 17th July 1841, was put into my hands, wherein, to my great astonishment, I saw that Lieutenant Charlton and the Editor wish to do away my claim as first discoverer of the Tea.—(Mr. C. A. Bruce to the *Friend of India*.)

I am afraid, Mr. Editor, that this medal has raised me up a number of enemies. I am sure I had them not before; and that I may not have any more, best known to Capt. Charlton, that I have not received the gold medal for the discovery of the Tea. This is still open to him, I should think, if he can prove his claims.—(Mr. C. A. Bruce to the *Friend of India*.)

Before the Burmese war broke out, my brother Major R. Bruce, came into Assam. He was, I believe, the first European merchant that ever penetrated as far as Rungpore. Mengy Muba Bundulah, was the Burman General at that time. While at Rungpore, the Busa Ghiani, a Singpho Chief of great influence and power in his own country, came to pay his respects to the Burmese General. He also called on my brother, who learned from him that the Tea plant grew in his country. He requested a Tea plant of the Busa, who promised him one on condition of his giving him a musical snuff box, which my brother promised to give.—*Ibid*.

Dr. Wallich has shewn that the Tea Plant was known to Major Bruce and Mr

Scott before 1826, the Proceedings at the late Meeting, by the Secretary, Dr. Spry M. D.

of Government that Tea grows in Assam* Extract of a letter from Major Steaman, dated Moradabad, August 22d, 1841.)

"Little did either Zalim or myself dream that Captain Charlton was intending to lay claim to being the discoverer of the tea." Ibid.

He (Captain Charlton) often told me that he did not wish to lay claim to being the discoverer of the Tea, but only wished to have the credit of bringing it forward into notice as the true tea (Mr. C. A. Bruce to the Friend of India.

"I claim no credit for discovering the Tea, for in fact it was discovered long ago; but of this I am very sure, that had I not come here and exerted myself to the utmost to prove its being Tea, the question might have remained in oblivion for ever. (Extract of a Letter from Captain Charlton to Dr. Wallich, dated Suddeya, 10th March, 1835.) Ibid.

He considered it due to have his friend Captain Jenkins to say that from all he new of the details, and the success in cultivating the Tea plant, it is more owing to his unwearied exertions than to those of Captain Charlton. (Report of

We have at length obtained the fruit of the Suddeya plant from Lieut Charlton, and we are now enabled to state, with certainty, that not only is it a genuine tea, but that no doubt can be entertained of its being the identical

tea, of China, which is the exclusive source of all the varieties and shades of the tea of commerce. (Letter from the members of the Tea Committee to W H Macnaughten, Esq. Secretary to the Government in the Revenue Department, 19th May 1834.)—(Signed by Mr. Robison as member of the committee.)—F. D. CAL. Report, not before STAR.

He (Mr. C. K. Robison) stated, and he called on his friend Ram Cpmul Sein to contradict him if he was wrong, that the Tea Committee had always considered Captain Charlton had acted rather a subordinate part. (Our Report, not before published.)

We might go on to a much greater length with these juxtaposings, but there is no necessity for it, let these be reconciled; and above all, let it be explained why Mr. Gordon was sent to China in 1834 to obtain seeds, plants, &c. &c. as an experiment, at the special recommendation of the Tea Committee, if Mr. Bruce or Mr. Anybody else had established the fact of the existence of the tea plant within our own territories; when the Committee explains this, we may feel inclined to consider what European really discovered Tea in Assam. But it was clearly not either of the Bruces or Scott. It was spoken of as growing there in the last century.—*Cal. Star*, Sept. 17.

The letter of Mr. Bruce, which we copied yesterday from the Friend of India, sets at rest the original claim to the discovery of the Tea plant in Assam advanced for Capt Charlton—and afterwards so ingeniously modified—but upon this point we have already said what we consider necessary, and we only recur to the subject finally, to express a hope that the late discussion may serve as a warning long to be remembered by the members of the Society.

We hope, in the first place, that it will be a warning that no discussion of rewards for meritorious service in the field of usefulness be entered upon in the spirit of partizanship—because even those who have lately been battling with the keenest spirit, must feel, now that the excitement of the contest is over, that the Society has certainly not gained in public credit by the proceeding, whilst the reward has sunk in value by the very means required for obtaining it. The man of science, whose friends have to request the attendance of voters, cannot but feel that the prize is depreciated in value much below

* Colonel Barry Latter was long before either of the Bruces, and he wrote to Government on the subject: this effectually settles the Major and Mr. C. B. the latter of whom begins by calling himself, the first discoverer of the tea and then proceeds to show he was not, and to try to shew his brother was. He never heard of Colonel Latter or Buchanan Hamilton!—*Ed. Cal. Star*.

amusal snuff box; which my brother promised to give. The Busa wished the promise to be given in writing, and accordingly my brother gave the Busa a written agreement, promising him a musical snuff box, if he sent him a Tea plant. In 1826, I was stationed at Suddiah in command of gun boats. The Busa Gham coming in to pay his respects, the Tea plant became the subject of conversation; and in the presence of Lieut. now Major Wilcox, and Lieut. Bedingfield he showed me the agreement between my brother and himself, I told him that if he would send down the Tea plants, I would forward them to my brother. He requested me to write the agreement on a fresh piece of paper, as the other was worn out, although he had kept it in a bamboo case, I wrote out a fresh agreement in the presence of the above gentlemen. Whether Major Wilcox remembers the circumstance or not, I cannot say, as it is a long time ago, and I have never seen or written to him since he left Assam.

The Busa soon after his return sent a canoe full of Tea plants and seeds, a part of which I sent to my brother, and to Mr. Scott. Lieuts Bedingfield and Wilcox also sent some to their brother officers at Rangoon; and some of the plants were planted in our little gardens near the house. From time to time the Busa sent us supplies, as the demands of the curious required them. Captain Kerr and Ensign Dawes of the 59th came up to Suddiah, not long after my arrival there with troops, and they also sent Tea plants to their brother officers, and likewise had it growing in their gardens.

Lieut. Dawes, is, I believe, alive; Captain Kerr is dead. The old Busa Gham is alive, as are probably many of his men who brought down plants. They and also many of the chiefs and villagers of Suddiah, can testify to the correctness of this story. These people were in the daily habit of visiting the officers, and of seeing the Tea plants sent down by dozens in the dawk boats, and also growing in our gardens.

The seapoys and native officers, as many as are now alive, can testify to these facts. This was in 1826 and 1827, three or four years before Capt. Charlton came into Assam. All this Captain Charlton knows well, for after he came to Suddiah I frequently related to him every particular as we sat together talking about Tea. If he did not believe me, he might have satisfied himself on the spot, as he saw the Busa Gham and the Suddiah Cowah frequently; from them he might have cleared up any doubts he might have on

the subject. He kept them concealed if he had any, for he often told me that he did not wish to lay claim to being the discoverer of the Tea, but only wished to have the credit of bringing it forward into notice as the true tea.

This of course I felt no inclination to dispute. Captain Charlton arrived at Jorehaut in 1830. Of course by this time the tea plant must have become a little known. His gardener informed him that we had it at Suddiah. He wrote to the Subadar, Zalim Sing, telling him to send him some tea plants, and plenty of leaves. He afterwards sent for more, which were sent. Little did either Zalim or myself dream that Capt. Charlton was intending to lay claim to being the discoverer of the tea. I had occasion to visit Jorehaut, and while there, called on Capt. Charlton. In his hall I saw a quantity of four tea leaves. He pointed to them as they lay on the floor, and asked me if I remembered them. I said, what, our tea leaves that we sent down in the dawk boats?

To the best of my recollection he said he could make nothing of them. Capt Charlton at that time made no pretension of being the discoverer of the tea. Capt Jenkins arrived at Suddiah in 1833, and requested me to send him an official report concerning the resources of the country, the different tribes, their manners, produce, exports and imports. I did so; and this was the first public letter I wrote concerning tea. I gave a minute description of it, which I should not have done, had I not been called upon to do so by Capt Jenkins. To the best of my recollection, I gave him the whole history of it from the time my brother first agreed with the Busa Gham for a plant; to the present day. Capt. Jenkins can perhaps attest to the truth of this. Capt. Charlton returned from his trip to New South Wales, and was ordered off to command the post at Suddiah. This was at the latter part of 1834. About the time that the Honourable Company's Tea trade was done up with. A Committee had been appointed to enquire whether tea grew in the Company's territories. Captain Charlton being the only military officer at Suddiah, all public enquiries came to him as a matter of course. He wrote down, in answer to these enquiries, that we had plenty of tea. A correspondence ensued between Captain Jenkins and Dr. Wallich, and Captain Charlton, concerning its being the true tea of China or not. He often spoke of the subject in all its bearings, and as I said before, told me that he did not lay claim to be the discoverer, but only to the merit of having brought it to the notice of the public. I used to tell him, that if he was perfectly dumb now, the thing

that which is bestowed when every Member at once feels, it to be due and awards it by acclamation. When it comes to partizanship, it also invariably descends to the still lower depth of personality, and if there is anything superlatively incongruous and misplaced, it is making mere questions of science themes, with which to admix personal commentaries upon those who support an opinion opposed to that of the commentator. Such exhibitions are all very admissible in a low debating society, or upon the hustings; but they are certainly out of place at a scientific society, and those who indulge in such vagaries do their worst, however unintentionally, to bring it into contempt.

We never remember in England anything approaching to the late Meeting at the Agricultural Society, except one at the London Horticultural Society, on a question which involved the resignation of its Secretary, Mr. Sabine, and even there, though it was a very stormy debate, no gentleman thought of attacking any absent or present member upon topics totally irrelevant to the matter before the Society.

There is only one good which we can discern as having arisen from the ill-spirited agitation which we have condemned, and that is the really interesting information it has elicited as to the first discovery of the Tea Plant, and the early efforts made to render it economically useful. These narratives will find a place in future histories of the rise and progress of the arts of India.—*Cal. Courier, Sept. 17.*

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—When I addressed you on the 15th instant, I had not seen Mr. Bruce's manly and strait-forward letter, published in the Friend of India on Thursday. Had it been received previous to the meeting of the society, the late of Dr. Corbyn's motion might have been different. The great merit of Captain Charlton in sending down specimens of the Tea Plant in 1832 was strongly pressed upon the meeting, and was, indeed, virtually embodied in the Resolution: but not one of Captain Charlton's friends had the candour to state, that these specimens were procured by him from Mr. Bruce and Sirdar Zalim Singh. Perhaps Dr. Corbyn and his supporters did not know it. Then how does Captain Charlton explain this apparent want of plainness and fair-dealing on his own part? You have designated Captain Charlton's original application for the gold medal, as

having been the discoverer of the Tea Plant, in opposition to Mr. Bruce, as a mistake. Unless he or his friends can satisfactorily clear up, why the ground was changed and the subsequent form of Dr. Corbyn's motion adopted, I should be disposed to call that original application, in a Pickwickian-sense, a wilful attempt to appropriate to himself, the honors, which he knew, were justly due to another man.

I am glad to see the Englishman winces under the lash; I gave him. He has not a word to say in reply: but contents himself, as usual, with the misrepresentation of a fact. He asserts, that when Sir Edward Ryan gave an opinion, favorable as far as it went, to Captain Charlton, in the July meeting of the Society, there was a discussion on the subject, in regard to which every body present had a right to give his opinion; but in the August meeting, there was no discussion, but a mere notice of a motion, and, therefore, he (the President) was not justified in stating his opposition to Dr. Corbyn's Resolution." Now not less than eight Members of the Society spoke at the August Meeting in reference to Captain Charlton's claims, before the president opened his mouth!!

I am, Sir, your obedient Servant,
Calcutta, 17th Sept., 1841. A MEMBER
Hark. Sept. 18.

ASSAM TEA.

TO THE EDITOR OF THE FRIEND OF INDIA.

DEAR SIR,—Yesterday the Englishman of the 15th and 17th July, 1841, was put into my hands, when, to my great astonishment I saw that Lieut. Charlton and the Editor wish to do away my claim as first discoverer of the Tea. Allow me simply to narrate to you the history of the Tea Plant.

Before the Burmese war broke out my brother Major R. Bruce, came into Assam. He was, I believe, the first European merchant that ever penetrated as far as Rungpore. Mengy Maha Bundulah, was the Burman General at that time. While at Rungpore, the Busa Ghand, a Singho chief of great influence and power in his own country, came to pay his respect to the Burmese General. He also called on my brother, who learned from him that the Tea plant grew in his country. He requested a tea plant of the Busa, who promised him one on condition of his giving him

would not rest, for the tea trade had received its death blow; and that if our tea was the right sort, they would soon find it out. So long as the Company drove a flourishing trade with China, the Suddiah tea was not taken the least notice of. Can Captain Charlton deny this, or any thing else that I have written?

I hope I have mistaken Captain Charlton, that the Editor of the Englishman has said more than he was authorised to say, when he would make out that Captain Charlton had claim to being the discoverer of the tea in India, when that gentleman never made such an exertion in my presence at Suddiah, but on the contrary denied being the discoverer of it. As to what the Englishman says, that Capt. Charlton claimed to be the discoverer of the tea plant in 1832 I heard of it yesterday for the first time, or I should have soon denied it, and have challenged him to the proof. It is one thing to tell a story in Calcutta, but a very different thing to tell the same history at Suddiah. In the former place it is believed, because there is no one to deny it; but in the latter it would be disbelieved because every one in the country knows it to be untrue.

Captain Charlton has taken the precaution to have plenty of documents. I have not so much as one public letter to produce against all his worthy assertions, and of course am considered as an imposter by the Englishman. Nevertheless, I hope that truth will overcome all this. With respect to Captain Charlton's trying to make Dr. Wallich appear inconsistent, I do not see that he is so. Dr. Wallich believed what he said in 1834, but he found his mistake in 1836, and rectified it. I hope the Englishman will do the same. What he believed to be true on the 15th and 17th July 1841, he will not be above acknowledging to be incorrect in September, and saying he was rather hasty in passing judgement on an absent person without waiting to hear what he could say in his own defence.

The 46th and 54th regiments were, I believe, at Rungpore, but it is fifteen years ago, and I know not who are now living that could testify to the truth of what I have stated? Should these lines come under the eye of any gentleman who were in Assam prior to 1830, I should feel grateful to them if they would come forward and say if they had not the Tea plant sent them from Suddiah, or if they knew of its being sent to any one.—Rely upon it, since my name has been brought before the public, I will not let it rest, until the

public are satisfied as to who has the "worthless claim." I am afraid, Mr. Editor, that this medal has raised me up a number of enemies; I am sure I had them not before; and that I may not have any more, be it known to Captain Charlton, that I have not received the gold medal for the discovery of the Tea. This is still open to him, I should think, if he can prove his claims. The following is an extract from the Indian News. "It gives us great pleasure to record in the first number of our journal, the bestowal of a gold medal by the Society of Arts upon Mr. Bruce for his meritorious and successful exertions. This Society has for a long series of years endeavoured to promote the welfare of our Eastern possessions and among other premiums has offered gold medals for the cultivation of Tea in India, and for the best account of the methods employed by the Chinese in its culture and preparation. Without waiting for such a reward being claimed, by Mr. Bruce, the Society has spontaneously awarded him the large Gold Medal." The medal has this inscription on it. "To C. A. Bruce, Esq. for discovering Tea tracts and cultivating and preparing tea in Assam 1840." Captain Charlton never saw a tea tract, never saw a tea plant grow in its native soil.

I will maintain by living witnesses, (if the people of the soil will be admitted as such), that I was the first discoverer of the Tea, by the help of my brother's agreement with the Busa Ghum I was the first who saw it in all its natives luxuriance; I was the first who brought away the seed, fruit, flowers, plants—and pieces of the largest trees or plants; and this at the risk of my life, for I was within an ace of having an arrow sent through me, for my fool's errand, as the Sighpho's thought it, in looking after a jungle plant. I was the first who roamed the country and jungles, sleeping under low sheds, or the shelter of a tree, often unattended but by a single man, and this among a wild savage race, who thought no mere of shedding blood, than spilling water. I have had many hairbreadth escapes, but will not trouble you with them now. By an indulgent Government, and by the liberal measures and assistance of Capt. Jenkins, Dr. Wallich, and the Tea Committee, I have successfully carried out and brought to an issue, the Assam Tea. For all this, the Society of Arts have awarded me the medal and I envy not the man, who envies me this. There was no occasion for Capt. Charlton to endeavour to blind others by saying. "Can it be believed that the Tea plant growing near him in such profusion, if he really supposed it to be the genuine Tea of commerce, that

he would not have taken some effective measures to prove it was so?" Now permit me to give another short extract from the above mentioned paper, the *Indian News*. "An erroneous idea that the indigenous Tea plant was only a species of the *Camellia*, delayed for some years the advantage to be derived from the discovery and it was not until Capt. Jenkins communicated the information he received from Mr. Bruce on the spot, to the Tea Committee, and recommended a scientific deputation to be sent up to Assam, that the subject received the attention it deserved."

Capt. Charlton says, that "he presented the Tea plant (procured through the Subador and myself, to the Agricultural and Horticultural Society in February, 1832." Were not the Society as much at a loss as myself to say it was the true Tea of commerce? It was only when the Tea seeds from China arrived at Calcutta, that all doubts of their being the same with the Assam tea, were removed. In conclusion, permit me to say, that had not my name been so prominently brought forward, I should not have intruded myself on public notice, but under the idea that my silence might have been construed into a tacit acknowledgement of the correctness of the statements published in the *Englishman*, I shall conclude with the *Englishman's* own words:—

"It is the business and duty of all persons interested in the advancement of knowledge to take all possible care that every discovery on science shall be attributed to the true discoverer.

I have now stated the particulars of the case as clearly as possible, and shall feel myself greatly your debtor, if you will defend me against such men whom, neither honour or conscience lets from endeavouring to rob another of his just rights.

I remain, my dear Sir, yours faithfully,

C. A. BRUCE, Supt. A. Co.

Friend of India, Sept. 16.]

Speaking of Mr. Bruce's letter, in the *Friend of India*; the *Courier of Friday* last says it 'sets at rest the original claim to the discovery of the tea plant in Assam, advanced by Captain Charlton—and afterwards ingeniously modified.' On the same subject the *Hurkaru* of Saturday has the following observation:

"Unquestionably the *Englishman* put forward the claim for the discovery of the Tea

Plant in the first instance; although since the publication of Dr. Wallich's statement, he has shuffled out of it.'

Both those assertions are false, but the *Hurkaru's* is a more direct falsehood than the *Courier's* and that is all the difference we can see between them. We set out by stating, as our proposition, that Captain Charlton had discovered that 'the genuine tea plant was indigenous in Assam,' and with reference to that proposition, as a context, all we said must be understood; and we never said, nor thought of saying, that Captain Charlton was the discoverer of the fact that a plant, which eventually proved to be the genuine tea plant, was growing wild in Assam, nor did Capt. Charlton himself either directly or indirectly put forth such a claim. On the contrary he states that so early as 1830 his own gardener spoke to him of a wild plant, which the natives called *chah*, as a thing well enough known to exist—whatever it really was—and he says that upon that information he sent for and procured (no matter how) specimens of it from the spot where he was told it grew. We do not republish Mr. Bruce's letter, simply because we consider that it should have been sent to ourselves in the first instance, as it was a reply to what we had urged, and what Captain Charlton had urged through our columns. Those who wish to write in the public papers have, of course, the perfect liberty of choice as to which paper they will appear in, but if they want to obtain for their opinions the benefit of our circulation, they must seek it direct, for we will not play second fiddle*. We never decline to give insertion to a communication merely because it is hostile to ourselves; and while such is our principle of action we have a right to make it a condition of appearing in our columns, that we shall be chosen as the original medium. In the present instance, however, we do no sort of harm to Mr. Bruce's cause by not transferring his letter to our pages, for it proves nothing, except that no claim of his can interfere with Captain Charlton's; and as if we had inserted it, we should also have inserted the refutatory remarks upon it put forth by the *Friend of India*, we may safely say that we have done Mr. Bruce rather a service than an injury in not publishing either! He could not have chosen a more respectable, and scarcely a wider-circulating medium than that of our *Serampore* contemporary;

* There are frequent occasions, and circumstances, in which we would and do republish communications from our contemporaries, but such republications are in cases of public news, and not for merely the dissemination of private opinion.

but neither could he have chosen one less likely to be perplexed or humbugged by confused detail or inconclusive reasoning; and as his case as against Captain Charlton would not stand the test of acute investigation, he insured the exposure of its weakness when he sent it to the *Friend*. He had done more wisely to have entrusted it to the *Hurkaru* or the *Courier*. It would have been safe with either of them. The former disclaims all partisanship, but chuckles inwardly when he has any thing to publish on the anti-Charlton side, even when it is so little to the point that any dullness less than his own would perceive its worthlessness; and the latter will falsify and shuffle, with the greatest coolness, through any thing whatever; and will supply all the misrepresentation which is necessary to a wrong cause, but which its conscientious supporters (and a really bad cause may have such) could never stoop to use. As to Mr. Bruce, apart from this particular branch of the discussion, we acknowledge him to be a diligent, an active, and a meritorious public servant; and he may rely upon it that he will never find us backward in advocating his true merits and his just claims; and in proof of this we do not hesitate to say that, on the express ground assigned by the grantors (which is not that he established the genuineness of the Assam plant, by proving it the tea of commerce) he well deserves the medal which had been awarded to him at home.—*Eng. Sept 21.*

The *Englishman* says that we wrote that which is false when we spoke of "the original claim to the discovery of the Tea Plant in Assam, advanced by Captain Charlton, and afterwards ingeniously modified," but it is useless for our contemporary to deny what the whole public know and feel. In his first letter Captain Charlton, after arguing against Mr. Bruce's claim, asked that the Agricultural Society would decide upon the rival claims to the discovery of Mr. Bruce and himself. These are his words—

"I have now only to beg that the Society will determine and record on their proceedings to whom they consider the discovery of the Assam Tea Plant due."

Then again, if our contemporary will ask Dr. Corbyn, the latter will tell him how he altered the terms of his first motion after hearing what was stated by Dr. Wallich and others. Beaten from one ground they moved to another—*Calcutta Courier, September 21.*

TO THE EDITOR OF THE ENGLISHMAN.

Sir.—With regard to the remark of the Editor of the *Courier*, which appears in your paper of this morning, that I had advanced a claim to the original discovery of the Tea Plant of Assam, which was afterwards ingeniously modified, where may I ask have I done so? I have always attributed the discovery to the natives. In my first letter to the Agricultural Society I asked them to decide to whom they considered the discovery due with reference to the assertion of Dr. Wallich that it was Mr. Bruce and his late brother Major R. Bruce, who originally brought the Assam Tea into public notice many years ago, when no one had the slightest idea of its existence.

The subject has been discussed usque ad nauseam, but as I have been dragged into the controversy again, I may perhaps be excused in making some remarks on the other side of the question.

Mr. C. K. Robison, the friend of Dr. Wallich, at the last meeting of the Agricultural Society after adverting to the late Mr. Scott having sent to Calcutta, in 1823, every part of the tea plant necessary to establish its real character, potable tea excepted, asserts that the efforts of Mr. Scott, Major Bruce, Ct. Jenkins and myself proved ineffectual because there was no organized body with funds at their disposal ready to take advantage of the information so conveyed, and he appeals to any Member of the Society present, whether the subsequent exertions of Captain Jenkins and myself in 1834, would have made a more lasting impression than the previous efforts of Major Bruce and Mr. Scott to draw attention to the Tea Plant of Assam, if the Tea Committee had not been in existence and ready with funds to put the experiment to actual and immediate proof.

How comes it that the same Mr. C. K. Robison has stated in the letter of the 24th December, 1834, page 32, Parliamentary reports signed by himself and the other Members of the Tea Committee, 'Still we felt ourselves bound to suspend our decision until we should be in possession of the fruit of the reputed shrub. We knew that several species of camellia were natives of Hindoostan, and that two were indigenous on our north eastern frontier, and we were disposed to expect that the alleged tea would prove nothing, but some sort of camellia. We have at length obtained the fruit from Lieut. Charlton, and we are now enabled to state with certainty that no doubt can be entertained of its being the identical tea of China.'

Here then is the statement of Mr. G. K. Robison and the nine Members of the Tea Committee, all of whose signatures are attached to the letter that it was owing to the fruit of the Assam Tea having at length been received from me that they were enabled to pronounce it to be the identical tea of China, and that the discovery was made known to the public.

Versus The statement of the same Mr. G. K. Robison at the meeting of the agricultural society on the 8th instant that it was 'simply because there was an organized body with funds at their disposal ready to take advantage of the information so conveyed.'

One must be a simpleton indeed to believe it. No sooner was the said Committee formed, and the requisite funds placed at their disposal, the funds alas, of the Honorable Company, than away Mr. Gordon was despatched forthwith to bring the tea plant and seeds from China.

What part then in 'the glorious discovery' did the committee take? The specimens of fruit and jar of prepared tea were sent to Dr. Wallich at the Botanic Garden, and whether he arrived at a knowledge of the fact from ocular demonstration or through the intervention of his nose or his tea pot, which is far more probable, it was he who so sagaciously found it out at last, and informed them of the discovery in his memorable letter of the 6th December, 1834.

TO J. PATTLE, ESQ..

Chairman and Members of the tea Committee.

I have the honor to circulate a letter from Lieut Charlton with some leaves and ripe fruit of the Assam tea shrub.

The fruit is most unquestionably of the real tea, &c.

Yet the same Mr. Robison in his statement on the 8th instant says, 'when the complete Botanical specimens of the plant arrived, a meeting of the Committee was held in the Town Hall, and the seeds, leaves, and flowers, were compared with the plates in the best botanic works, and the Committee had no hesitation in declaring the plant to be the genuine tea of commerce.'

This of course must have been after the specimens were received with the circular from Dr. Wallich acquainting them that the fruit was most unquestionably of the real tea. Their botanical acquirements must indeed have been extraordinary and every one must perceive the correctness of the state-

ment of Mr. Robison on the 8th instant; so truly worthy of exclusive record, that but for the existence of the Tea Committee with funds at their disposal, all the exertions of Messrs. Scott, Bruce, Jenkins, and Charlton would beyond a doubt have proved of no avail.

On recurring to his statement, I perceive, he has assured me in the most obliging manner that he has no wish at all to detract from my great merit *laudatam laudato viro!* for he felt most warmly towards me from the very first day my name was brought to his knowledge.

I hope and trust I have expressed myself in warm language towards him in return. I have not lacked the will I can truly say. I consider him a person of as versatile and uncommon talent as his worthy friend and colleague Vice President Dr. Wallich, *Par nobile fratrum*. Their conduct on the late occasion, and that of the President has been so exemplary, and the impartiality of the Secretary Dr. Spry, so remarkable that any further comment from me is not required.

Your's faithfully,

A. CHARLTON.

September 21, 1841.

P. S.—I deny having obtained the tea plant from Mr. Bruce or through his intervention in any way whatever.—*Eng. Sept 22,*

☞ We regret that Capt. Charlton should have thought it necessary to write us the foregoing letter. Every point of his case having been ably argued by Mr. Hume, and satisfactorily decided by the Society, Capt. C. was not called upon to appear again.—Ed.

The Englishman is at fault (we use this word advisedly, for we are not going to disgrace our pens by bandying compliments fit only for a pot-house print, and not admissible into any respectable journal) in supposing "we chuckle inwardly when we have anything to publish on the Anti-Charlton side." On the contrary, we much regret, for Captain Charlton's sake, the unfortunate position, in which he has been placed by the zeal beyond discretion of some of his friends, in having originally advanced claims which proved to be unfounded, instead of coming forward, as they might have done, to ask for a recognition of his great services in the Tea Question, in conjunction with Captain Jenkins, a proposition to which there would not have been one dissentient voice, we verily believe,

among the members of the Agricultural and Horticultural Society. But a claim to the discovery of the genuine Tea Plant, made without reservation and without modification, was quite an autre chose; it was a claim, to which Captain Charlton was just about as much entitled, as he "was to the discovery of the *Georgium Sidus*. We repeat, however, this was the claim nakedly and unblushingly put forward by our contemporary in his issue of the 17th of July. In the whole of his elaborate article of that day, there is not one single syllable that could possibly lead a reader, understanding plain English, to imagine for a moment, that he did not use the word "discovery" in its ordinary acceptation, or in any other sense than as conveying the assertion that the existence of the genuine Tea Plant was not before known.

This article was written in reply to doubts expressed by the *Courier* as to the priority of the discovery of the genuine Tea Plant; and in it, an ill-natured and unjustifiable sneer was cast at Mr. Bruce for having referred to a dead man, the late Mr. Scott, in corroboration of the claim made by Mr. Bruce himself, of having been the earliest discoverer of the plant, and not the mere instrument, by means of which Dr. Wallich was convinced.

The same claim of original discovery is put forward by Captain Charlton himself, and is thus noticed at page 11 of the *Proceedings of the Horticultural Society for July*:—"Captain Charlton solicits the Society will determine and record on its Proceedings, to whom is due the discovery of the Tea Plant, as it has been ascribed to Mr. Bruce, and the Society of Arts in England have in consequence awarded to that gentleman one of their gold medals. The Secretary further stated, that Captain Charlton had felt aggrieved that the merit of a discovery of so much importance had been given to another, when he considered himself the rightful owner of it." Now here again we ask, would any man of common sense infer that any other think was meant than the actual bona fide discovery of the genuine Tea Plant? Would any human being suppose nothing more was meant than the merit of having been enabled to satisfy Dr. Wallich that the genuine Tea Plant did exist.

On the 11th August, Dr. Wallich's statement was read; and it then appeared under Captain Charlton's own hand, that in 1835, he disclaimed all merit for the discovery of the genuine Tea Plant, "for it it was known," he says, "long and long ago," and he confined himself to the value of his exertions in proving to others (in Calcutta) its existence. On the 12th August, the Englishman summed up the facts brought forward at the Society's Meeting—"the transmission of the seeds and leaves, and especially the seeds with the peculiarly marked trilocular capsule, which distinguishes the Teas from the *Camellias*," by Mr. Scott in 1825, 1826, and 1827, the evidence of Major Wilcox, and the negotiations of the Bruces with the Native Chief, which led to the obtaining of boat-loads of plants, and used these words.—"WITH RESPECT, THEN, TO THE DISCOVERY, THE MATTER WAS WHOLLY AT REST. The question of the prior publication and confirmation of the discovery remains yet in abeyance."

We place this paragraph in juxtaposition with his statement of Tuesday.

"We set out by stating, as our proposition, that Captain Charlton had discovered that 'the genuine tea plant was indigenous in Assam,' and with reference to that proposition as a context, all we said must be understood; and we never said, nor thought of saying, that Captain Charlton was the discoverer of the fact that a plant, which eventually proved to be the genuine tea plant, was growing wild in Assam, nor did Capt. Charlton himself either directly or indirectly put forth such a claim."

And now we leave the public to decide whether any journalist ever cut a more ridiculous figure than does our unfortunate contemporary. Had he possessed candour enough to have acknowledged his error, and that his original ground was hollow and untenable, we should have spared him the exposure, but he has to thank his own obstinacy for being thus gibbeted.

Since writing the above, we have seen Captain Charlton's letter to the editor of the *Englishman*; but it does not call for any remarks, which are not contained in the body of this article. We think that the public has by this time had nearly enough of the subject.—*Hark. Sept. 23.*

TRAVELLING TO DARJEELING.

TO THE EDITOR OF THE *BENGAL HUR-
KARU*

DEAR SIR,—I believe Darjeeling is generally considered to be almost inaccessible from Calcutta, by land, during the rainy season. This is not the case, however. I travelled down, in the commencement of the present month of September, the whole distance to the foot of the hills, and met with no difficulty.

The new road from the Ganges to Dinagepore has now been open for some months, but the route does not appear to have been attempted more than once or twice. I took the new road and I have no doubt, that, if due notice be given in laying the dak, this route will be found preferable at all seasons, to the route by Mirda. In point of distance, I take it some 20 or 25 miles are saved by the former and during the rains the latter probably would scarcely be traversible at all. A week's notice ought to be given, to prevent delay and disappointment as regular dawks cannot yet be laid between the Ganges and Dinagepore.

I suppose the road to Kishenagar via Barasat will soon be opened. The road from Hooghly, however, is in very fair order; but it must be longer by at least 7 or 8 miles, "I reckon," and it has the advantage moreover of rendering it necessary to cross the river Hooghly twice,—at Paltah Ghaut and at Santipore. At the latter place, the ferry-boat is frequently not in attendance, and the traveller has the satisfaction of waiting in the sun (if he is travelling in the day-time) for an hour or two. There is an excellent *pukka* bungalow now at Kishenagar, and a very civil and pleasant attendant. In the cold weather, and indeed at all seasons, except during the rains, a buzzy dak may be very easily laid between Calcutta and Berhampore and the distance ought then to be accomplished in 16 hours.

After leaving Berhampore, the first stage is Bommees, and the next Bogwangolah on the South Bank of the Ganges. At the latter place (which is about 22 miles from Berhampore) there is a good *pukka* bungalow. The transit across the Ganges to Burgatchee is at present a rather serious undertaking. There seem to be no regular ferry boats,—at least nothing in the shape of a boat was to be seen at the ghaut when I reached it, and I was obliged to send my bearers in search of

dinghees and fishing craft in all directions. After two hours' hunt, a couple of crazy-looking tubs were procured, which effected the passage (9 miles in the rains) in about five hours. Had the wind been high, I think the chances in favor of a capsized would have been two to one at least. I hear that proper passage-boats have been surveyed by order of Government, and will soon be sent up from Calcutta. The sooner the better, otherwise we shall have a verdict or two of "Round downed." There is a *pukka* bungalow at Burgatchee, where you may get a good dish of *curry-bat* cooked at an hour's notice. If the traveller is proceeding by the new road, he ought to have a "gang" of about thirty-two men in readiness either at Bogwangolah or Burgatchee, to take him on to Parbuttypore. The first stage from Burgatchee, is Dheegrue, (11 miles distant) at which place a bungalow of *matting* has been erected; and the next is Nishampore (10 miles); at which also there is a *mat* bungalow. There are no attendants at either of these places, and if the traveller wants to make a halt, he must break open the doors. I paid a visit to both of these bungalows, and from the depth of dust upon the tables and beds, the interior appeared to have remained undisturbed for some months. At Parbuttypore (about 14 miles from Nishampore, and 35 from the North Bank of the Ganges) there is a good *pukka* bungalow, with attendant,—a bearer and kitchen-gar. Here too, you may get a capital dish of *curry-bat* cooked in somewhat less than 10 time. Parbuttypore is about 54 miles from Dinagepore,—a long pull. The Dinagepore Post-master, on due notice (say a week) will station another "gang" there, the number should not be less than 32. The country is very wild about Nishampore, in fact a jungle on all sides. The road, however, is in tolerably good order, except that here and there, from the scanty traffic on that line, it is almost overrun with long grass, and in some places scarcely distinguishable. For some twenty miles I did not meet a living creature. At Balichand (18 miles from Parbuttypore) and at Bishnapore (9 miles further) there are *pukka* bungalows and I observed temporary bungalows of bamboo and *matting* at Benesore, and Pawnsaugur, but I did not visit them.

In the neighbourhood of Dinagepore, the roads are excellent, although the inundations of the past season have tried them not a little. In July or August last the large

bridge at the station, built some five and twenty years ago I believe, was carried away, and the "oldest inhabitant" remembers not such a deluge. For the excellence of the roads in the Dinagepore division, the public are mainly indebted to the late Mr. R. C. Halket. The distance from Dinagepore to Titalyah is about 70 miles, and except the last stage, the whole line of road was in capital order. At Nachintapore, which is about half way, there is a good *pukka* bungalow; there are also bungalows at Rooya and Puttipore. From the latter place to Titalyah the road is "taken suddenly worse." I suspect that part is not within the Dinagepore division. It is a long stage, nearly sixteen miles, of which about six (at the time I passed) were through water, knee-deep on an average, and occasionally waist-deep for variety. I was informed, however, that the Titalyahs intended to "mend their ways" as soon as the rains ceased.

At Titalyah there are bungalows, and a hotel, conducted by Mr. J. H. Smith. In the management of the hotel, I believe satisfaction is given, but Mr. Smith must excuse me for saying, that in some matters he ought immediately to turn over a new leaf. This station is necessarily the Store Depot for the Hills, and the point where the different routes to the foot of the hills terminate—from the South through Dinagepore, from the East through Rungpore, and from the West through Purneah. The complaints made of the detention of Titalyah of stores destined for the Hills, and consigned to the care of Mr. J. H. Smith, are innumerable, and to my certain knowledge some of them are not by any means groundless.

In proceeding to Titalyah from Calcutta, by water, the route almost invariably selected is *via* Malda, by the river Mahanuddy to Dulollunge, or, in the rainy season, to Kissengunge. From all I can learn, however, it would be found infinitely more advantageous, during at least six months in the year, to proceed to Dinagepore. This would make the land journey rather longer certainly, but not very much, for Dulollunge is nearly fifty miles from Titalyah, and Dinagepore is only seventy. And there are many advantages to counterbalance this. In the first place, the river Mahanuddy has as many turnings and twistings as Whip policy! An average passage from Calcutta to Dinagepore, in a good Pinnace, may be about 15 days, while to Dulollunge it would not be less than 24 days. In the rainy season, too, the current of the Mahanuddy is very rapid,

and in the dry season you must expect to be aground upon a *char* every half-mile at the least. Again, there is no accommodation either at Dulollunge or Kissengunge, so that if any *hitch* occurs in the laying of your dawk from either of those places, you have a pleasant time of it, more especially if your provisions happen to be expended. Further more, there is, as I have already said, a good road from Dinagepore to Titalyah, (barring the last stage, where wading comes into play); while from Dulollunge there is no road at all, and from Kissengunge I am told there is *something worse* than "no road." What there is, I do not know.

From Titalyah to Sillegooree (about 16 miles) the road has been put into very good repair, and appears to be practicable for carriages even in the rainy season. I travelled in a buggy, provided by Mr. J. H. Smith, and I performed the distance with two horses in less than two hours and a half. I believe Mr. Smith has a couple of buggies, and a couple of carriages, available, so that there is not much fear of detention at Titalyah. After leaving Sillegooree, you cross the Mahanuddy and enter the Morung. There is a tolerably good path, scarcely a road, through the Morung, and the journey to Punkabarree (about 15 miles) may be performed in four hours, either in a palankeen or upon an Elephant. The Morung here is about ten miles in breadth. The ascent from the foot of the hills to Punkabarree (about 5 miles) is not very steep. I believe the elevation of Punkabarree is about 700 feet, which gives 140 feet to the mile. There is a bungalow at Punkabarree, and attendants, but if the traveller requires refreshment here, he will do wisely to send notice previously. The ascent from Punkabarree to Kuriong (about 6 miles) is the steepest part of the whole route, the rise being at least 500 feet per mile. Most travellers stay a day or two at Kuriong, where Mr. F. H. Bellew will furnish commodious quarters at his excellent Hotel. The journey from Punkabarree to Darjeeling is performed either in chais carried by Elephas, or on Hill ponies, of which latter five or six are kept for hire by Mr. Bellew and Mr. Wilson. The first stage from Kuriong is Mahulderam, 6 miles and tolerably steep, I imagine, about 300 feet to the mile. The next stage is Pachoom, 9 miles from Mahulderam and 10 from Darjeeling. The ascent diminishes considerably soon after leaving Mahulderam, and Pachoom is much about the same level as Darjeeling itself. This does not seem to be well-managed, at least one cannot help thinking that the road *might* have been so constructed as to make the slope

more gradual from Darjeeling to the plains. At present four-fifths of the ascent appear to be included within one-fifth of the whole distance..

Judging from the time my own journey occupied, I think the dawk traveller from Calcutta may reach the foot of the Hills in six days, even in the rains, and in five at other seasons. Hoping that your readers within the Ditch will be soothed by the

reflection that an European climate is within a week's journey at the most unfavourable season,

I remain, dear sir,

Yours faithfully,

EXPERTO CREDE.

Darjeeling, Sept. 25.

[Hark. Oct. 5.]

THE ROUTE TO CABUL.

TO THE EDITOR OF THE BENGAL HURKARU.

SIR—Perhaps the accompanying route from Cabul, which I have copied from the journal of an Officer, lately returned to the Provinces, may prove useful to some of those who are now preparing for the march to Afghanistan.

"March from Cabul to Ferozepore."

"1. From Cabul to encamping ground near BOOTKHAK, 11 miles. A good road, leading east, through an open country, the Pughman hills and some other smaller ones to the left and left rear, and on the right another low range, which extends from Cabul to the defile entered on the second march. A great deal of cultivation on either side of the road, and many water courses; these and the narrowness of the road (the fields being often wet and impassable) make it a bad march of camels. The Soghur river crossed by stone bridge; it flows into the Cabul river, north of the road. The village of Bootkhak (*Boot*, an image; *khak*, ashes; so called from the Indian idol brought hither by Mahmood of Ghuzni), is only about 8 m. from Cabul.

"2. KOORD-KABUL, 8½ m. Road leads south through a gorge between two rocky ranges; for about four miles, a narrow, tortuous defile, through which winds a small stream, which must be crossed many times; after which, the road enters a tolerably open country, turning towards the east. In front of camp, some low hills, and beyond them peaks covered with snow during great part of the year; in rear a rocky hill, the other side of which was visible from the camp at Bootkhak.

"3. TEZEEN, 13 m. Road crosses the "Hait kotul" or seven passes; from Cabul the ascents are slight, but the descent is

rather steep; you then enter a narrow, stoney ravine, which leads into the valley of Tezeen. This march is a very severe one for a force proceeding towards Cabul, particularly for guns or carts. Encamping ground stoney. N. W. of Tezeen, the valley running N. E. and S. W., about quarter of a mile broad. S. E. of camp is visible a snowy range, studded with pines and dwarf oaks.

"4. ZYARUT-EH-BABA, or Faqueer's Tomb, near Burkiab, 7 m. The road (very stoney) continues down the valley, frequently crossing a small stream. Very bad and stoney ground.

"5. JUGDULLUCK, 13 m. The road turns from the valley into the low hills bounding it on the right, and leads eastward to *Kattarsung*, so called from "a heap of stones," marking the grave of Meer Alum, who was murdered by Futtay Khan. Near this place is, or was, a village, called *Ispahan*, where Shah Sorjah was defeated in battle. Hence, the road leads more southward, still across, low stoney hills. A very bad road, stoney the whole march; several ascents and descents, some of those between *Kattarsung* and *Jugduluck*, rather steep. From the *Toda* (heap) there is another road leading to the left, and then through the *Purri durra* (a very narrow defile). Guns usually go by this road to avoid the ascents. This march is sometimes divided at *KUTTARSUNG*; but the ground there is very bad.

"SOORUK-AB, (Red River) 12 m., being little variety, still through the low hills, crossing some of them, and at other times winding among them, or along dry, stoney nullahs. Encamping ground on the banks of the *Sooruk-ab*, a rapid stream, running from south to north; a very small valley, hills on every side; some of them of considerable height; it was here that the European

Regiment was fired upon during night by some bodies of marauders, on the heights around.

" 6. GUUNDAMUCK, 8 m. Road much as usual, but rather less stoney; still among or over the low spurs, branching from the southern hills; encamping ground on an elevated table land gradually sloping north from the snowy mountains of Rajgul, which are here plainly visible, covered with forests of pine, some of the lower ones even to the very summit. From Cabul to this, forage is very scarce; seldom any except that which has been laid in by the commissariat.

" 7. NERMLA, 6 m. Road descends from the high ground and crosses a rocky stream, then passes over a spur, and again a stream with a rocky bed; whence the road again ascends to some table land; after which an easy descent leads into the valley of Neemla, lying north and south; encamping ground about a mile north of the groves and gardens; a rather pretty spot, the scene of another defeat sustained by Shah Sooja.

" 8. FUTTEABAD, 12 m. Road again leads among the low hills; at length gradually descends into an open valley, running east and west. Camp on cultivated ground; in front, and to the right, a rich, extensive valley; to the rear, the low hills, which gradually swell upwards to the snowy range.

" 9. SULTAN POOR, 7 m. Road (good, occasionally stoney or sandy) skirts the low hills; a fine valley on the left; encamping ground, sandy.

" 10. JULALABAD, 10 m. A good road through the valley. The cantonment is formed with its left resting on the Cabul river and its right on the low hills before mentioned; beyond these hills to the southward extends the range of SUFAID KOH or Rajgul, covered with snow some distance below the summit. The south bank of the river is sandy, but on the north there is a broad belt of cultivation, extending many miles to the eastward, and bounded on the north by the Kooner hills, of which the lowest are bare and rocky, but the more distant ones are clothed with wood; to the east are several low hills, and to the west the view is bounded by the low, broad belt of hills (through which the Cabul road runs) and some higher eminences beyond.

" 11. SUMMER KHAIL, near Ali Boghan, 6½ m. A good road running about E. S. E., skirting the low hills and some times passing through thick red jungle; encamping ground

bad, W. and at the base of a small insulated ridge; the river about a mile north; from a mound close to camp, a beautiful and extensive view of the valley, well wooded, and sprinkled with numerous forts; beyond, the hills of Kooner, rising one above the other, and further still a part of the Hindu Koosh snowy range.

" 12. CHAR-DEH. (Four villages) 14 m. Road leads south a short distance, passing round the ridge, and bringing it to the left hand. After proceeding some few miles among low hills, you enter the Dush of Butteecote (where at some seasons of the year, the simoon blows) a wide stoney plain, extending south towards the snowy range, and separated from the Cabul River, by a chain of low rocky hills, which extends about 10 m. east of Ali Boghan. The river is about a mile north of the encamping ground, and beyond it a fine, well-cultivated valley; to the east some rocky hills, among which the stream enters; to the South an extensive plain (in which the village of Buttercote) bounded by Rajgul; and to the west the Dushi.

" 13. BURSOUL 8 m. From Chardell the road leads S. E., skirting the rocky hills; after about six miles it bends to the east, passing between two hills on emerging from which it enters a well cultivated valley, again encountering the Cabul river, to the south of which is the encamping ground. This is a rather bad road; there is another better, but circuitous, which passes south of the hills.

" 14. DUKKA, 13 m. Road over a hard, firm plain (with occasional patches of sand,) and between some low hills, to Huzarow, a large straggling village, situated at the base of a rocky hill running N. and S. Thence the road makes a sharp bend to the north, skirting the hill closely, with a broad sheet of cultivation on the left; after rounding the hill, you again turn towards the east, over a firm road, many hills on either side; and after a few miles, you pass over a small ghaat, (guarded by a watch tower), and enter the valley of Dukka, which is a complete amphitheatre of hills, intersected by the Cabul river; on the north bank, and close to the base of a hill is the large town of Lalpoora; Dukka is a small place on the Southern bank.

" 15. LUNDIKHANEH, 8½ m. The road traverses for some two miles a stony plain, and then enters the Khyber pass. The defile is at first by no means narrow, and the hills though high neither steep nor difficult; every where accessible to infantry; after

at two miles the passage widens to about 600 yards; and here, in the centre of this open space, is an isolated hill, on the summit of which is a small breastwork, constructed of loose stones and garrisoned by a company of Jezailchis. After this the defile narrows, and the ascent becomes considerable; the road is by no means difficult but every where stoney. Stunted trees and bushes are scattered over the hills. Very bad encamping ground, close to the foot of the ghaut. Some cultivated land rising in terraces to the summit of the hill to the south, and some rude fortifications, now dilapidated, are to be seen on the same side of the defile. Looking back, the summits of many hills visible in the N. W., the most distant one partially covered with snow.

" 16. ALI MUSJID, 13 m. The road leads up the side of the hill on the left, passing round the shoulders of two hills; the ascent is not steep, but the road winds in and out much. This is occasioned by several fissures or water channels occurring in the face of the mountain. The road is of a good breadth, on the side the hill rises steeply, and on the other is a deep precipice. After rounding the second shoulder, you descend gently into the bed of the stream, previously too confined for a road, this is again the case, occasionally, obliging the road to pass over the sides of the hill; the ascents, though short and not very steep, are rather difficult for carts and guns, on account of awkward bends or zig zags occurring at the very foot. After about four miles you reach the summit of the pass, the hills recede right and left, and you enter on a broad extensive table land, sloping gently to the east; it is well cultivated and sprinkled with forts, the hills around of no great height, and the plain sometimes some miles in breadth with other valleys branching to the right or left. After about five miles the valley narrows and the descent becomes more sensible; and as you approach Ali Musjid, you enter a narrow defile, with precipitous rocks on either side; this *tungl* extends only about half a mile, terminating at the encamping ground which is close under Ali Musjid. There is another ground about a mile further down, where Col. Salter's party pitched. The Khyber hills and defile are tolerably well wooded, but the trees are all of stunted growth; there is a remarkable "Top" on one of the hills near where the defile joins the open land. The forts at Garros Lalla Begaro exceedingly poor specimens, having but one very weak tower, but the fort of Ali Musjid is somewhat better built; but its strength consists in its position, it being on the summit of a lofty insulated hill.

" 17. FUTTYGHUR. For about a mile the road continues down the defile, the hills decreasing in size and steepness; you then ascend by an easy road, the hill forming the left bank; after which you proceed for some distance over undulating ground, the summits of the hills, and pass over a narrow gully by a well built bridge; you then descend into the dry bed of a stream, by a capital road cut in the side of the hill; the remainder of the march is through low hills, until you debouch into the plains near Jumrood. Futtighur is a new fort, built by the Sikhs.

" 18. PESHAWAR, 16 m. (This march is sometimes divided) a good level road, through a well cultivated country, passes between the town and citadel. The country around flat and uninteresting, badly wooded, but highly cultivated. The Khyber hills to the west do not present a very imposing appearance; the Sulaim Koh is visible beyond.

" 19. PUNJEE, 12 m. The road tra-

" 20. NOUSHERA 10 m. verses a level

" 21. ACORA. 10 m. plain, leading to the East, along the right bank of the Cabul river; very little cultivation, but a considerable quantity of bush jungle; the soil generally sandy, but the road good and firm. Noushera is a considerable village on the left bank; good encamping ground immediately opposite; some low hills in the rear, the scene of an action between Runjeet and the Barukzyes. Acora is a large place, with good bazaar on the south bank. Between the two villages, there are several others, and some forts, mostly on the left bank. (Noushera and Acora are said to have been destroyed by the late inundation.

" 22. ATTOCK 11 m. Road leads to the S. R. and gradually approaches some low hills; after about 6 m. across a level country, you enter a narrow lane (called the *geedur gulloe*) between two hills, finishing with stoney ghaut of no difficulty; a small fort situated on the right of road. The descent leads to the Attock, leaving the fort of Kairabad (said to have been since washed away) on a hill overhanging the river, on the right hand there was a capital bridge of boats just below the junction of the Attock with the Cabul river—you then pass up the sandy beach of the river. The fort of Attock, situated on a hill, overhanging the left bank, has an imposing and picturesque appearance, particularly from the opposite shore. The river flows to the south and winds among some low hills, after passing the fort—good encamping ground on a grassy plain on the banks of the Attock.

" 23. SHUMSHABAD 9 m. The route lies across a level plain; a good road; very little cultivation; scarce a tree or hill to be seen; several small villages.

" 24. BOORHAN. 12 m. For about 6 or 7 m. the road leads S. E. across an undulating sandy tract, with some thin bush-jungul, with here and there a tree and a few hills scattered along the horizon. You then enter a deep ravine, and cross the Ara, a small, shallow river; thence gradually emerging from the ravines, and passing across a flat table land; the road then descends slightly into a cultivated tract of land; crosses a small stream, and turns up the valley in which is the encamping ground; several villages scattered around, and surrounded with trees.

" 25. VAH, 9 m. A tolerable road, generally over cultivated land, sometimes hard sand; a deep ravine at starting. Latterly the road runs through bush-jungul, with a fine well wooded valley on the right, bounded by some low hills; on the left hand, low sandy ridges. At about the eighth mile, you descend into the valley, and skirting the gardens of Hoon Abdool (a picturesque spot) turn to the South East, passing through bush-jungle at the base of a wooded hill on the left of road; camp on cultivated ground; a fine stream winding in front, on the opposite bank of which is the village of Vah. A brook, knee-deep, is crossed in this march.

" 26. JANEE-KA-SUNG. 14 m. You cross the small stream of Vah, and traverse (towards the S. E.) an extensive plain, covered with bush-jungul; to the N. E. and S. E. a low chain of woody hills. This range you gradually approach, passing to the south of the Top of Belur, which is situated about 4 m. off the road, at the base, (western extremity) of a hill jutting out from the range in front. Between the Top and the hills overhanging Hoon Abdool, a wide, cultivated valley stretches to the north, the view bounded by blue hills. As you near the hills, you pass a large Serai (right of road) built by the Emperor Akbar; you then enter some broken ground, crossing a small stream by a stone bridge, and gradually ascend to the paved causeway built in a narrow gorge between the hills, called the Pass of Margullee. Emerging from the defile (only about 150 yards long) you pass over some undulating, well wooded ground to Janee-ka-Sung, a small poor village. The whole country around, as far as the eye can reach, covered with dense jungul. Bad encamping ground.

" 27. RAWUL PINDEE 14 m. The road leads towards the sea, across a wide undulating plain intersected by a few ravines. At

first through a thick bush-jungul, but as you gradually leave the hills, the country becomes open and richly cultivated. Cross the Kalli Nuddi, a small stream with high banks, and encamp on the banks of it. Rawul Pindoe is a considerable town, in an extensive, well cultivated plain, bounded N. and W. by low hills. (The road good this march.)

28. HOORMUCK, 9 m. | From Ra-
29. MANIKYALA, 10 m. | wul Pindoe
30. PUKKA SERAI, 12 1/2 m. | to Durnuck,
31. DUMUCK, ... 15 m. | the country is
open and void of hills, but generally broken and intersected by numerous deep ravines, especially in the neighbourhood of the small streams. You cross the Sawun R. at the close of the 1st march, (encamping ground being on the left bank); the stream is small, and much below the level of the surrounding country; the descent into the bed (on the right bank,) is by a rugged lane, bad for carts or ghus. Besides the Sawun, you cross two other streams; one of these at Pukka Serai, (where the encamping ground is in a deep ravine,) and the other about four miles from Durnuck. Around Manickyala, between Pukka Serai and Durnuck, and, indeed, near all the villages, (which are pretty numerous) the cultivation is rich; but the country, generally, is uninteresting in appearance and but little wooded, except on the banks of the ravines, where the brush-wood is often thick; every village, however, boasts of a few trees. The road is in general good and the ravines, which it crosses, are seldom difficult; most of them are avoided by winding round. Encamp at Durnuck, on elevated ground, on the right bank of a very deep ravine.

" 32. BUKRALA, ... 10 m. Immediately
33. UNDURANA, 9 m. on leaving Du-
34. ROTAS, 8 m. muck, you des-
35. JELUN, ... 11 m. cend by a steep
Left bank, 2 m. ghant into the
deep ravine, or dry bed of stream, mentioned above. As far as Bukrala, the banks are remarkably steep and high, but below that place, their attitude decreases considerably. At the three first-named stages, the encamping ground is always in the bed of channel; and the road generally so, but occasionally, where the banks are sufficiently low, it leaves the sandy nullah, cutting off bends. The country on either side is generally rugged, and the banks covered with brush-wood, but as you approach Rotas, you meet with more cultivation. At Bukrala there is no water but in pools. At Undurana, there is a small stream, which flows past Rotas, and then into the Jelun. Between Undurana and

the next stage, the road leaves the nullah, and for about four miles passes over a perfect flat, avoiding a bend of the stream, which you again, however, encounter at the encamping ground (very sandy) at Rotas. The fort of Rotas is situated on the right (and higher) bank; it is of considerable size but of no great strength; the walls are partially dilapidated, and a portion of the western face has been destroyed (by Humaioon.) The walls are of masonry and now black with age. They are battlemented, and flanked by round towers; they also are provided with machicolis. Hence there are two roads; one of which continues for some three miles in the bed of the stream. After rounding a long neck of land or promontory you again come in sight of the fort, which here presents a more imposing and picturesque appearance than it did from the west, the banks of the stream being more rocky and precipitous; the other road is a mere straggling pathway, close under the walls of the fort, avoiding the curve which the stream takes. After about 3 m. of heavy sand, you leave the stream and pass over a level and richly cultivated plain, to the river Jelum. Encamping ground close to the bank about a mile north of the town. In the cold season the river is fordable; in the month of January, about 4 feet deep, at the worst. The ferry is close to the town of Jelum; there are usually plenty of boats; the ford was (at the commencement of this year) about a mile higher up; it wound much, passing over two sand banks, the deepest parts being on the left of the first sand bank, and close under the left bank of the river. Laden camels can pass over easily (when the depth is as mentioned above) but the baggage, if it hangs very low down, may get wet. Tatoes should be laden; there are some times some duduls in the fords.

"The banks of the river are low, and the country on either side, flat and richly cultivated. To the N. and N. E. rise two ranges of hills, the nearest low and bare, and the other of considerable height and covered with snow. To the E. and S.E. there is a low sandy ridge, running nearly parallel to the river. Good encamping ground on the left bank, nearly opposite the town and close by the grave of Captain Hilton.

"36. KHOOR 10 m. | For a distance
37. DHINGAI 14 m. | of 13 m. or 3 m.
38. POREWALLAH 1 m. | beyond Khoor,
39. CHENAB R. 7 m. | the first stage
RAMNUGGUR 3½ m. | the road follows
the river; it then turns to the left, crossing
a low, sandy ridge, covered with bush jungle;

and passes over a flat country generally well cultivated and wooded. Jelum and the towns and villages of the Doab, formed by the rivers Jelum and Chenab, are well built, the houses being many of them of kiln-burnt brick. There are no streams between the two rivers, but water is found, in wells at a depth of 60 feet below the surface, and the fields are irrigated by help of the Persian wheel; the soil appears to be rich and well adapted for the growth of all kinds of grain. Mustard, wheat, barley, gram, &c., are reared; but occasionally tracts of waste land, covered with bush and grass jungle, are met with. Deer, hares and partridges are to be found but game is by no means abundant.

"The ford and ferry of the Chenab, both close to the encamping ground; the former is good and nearly straight, the water at the deepest under either bank and about 2 inches less than the Jelum. Ramnuggur is a considerable town, situated 3 miles from the river (between which and the town is some heavy sand, no doubt under water during some seasons of the year) and in a spacious plain; it was a favorite resort of the late monarch Runjeet; he built a small villa (called Bare durri or 12 dooria) in a garden about half a mile from the town, and he was in the habit of reviewing his troops on the neighbouring maidan, which is admirably adapted for the purpose—good ground close by the Bare durri. In some grass jungle stretching between the villa and the river, plenty of hares are to be found, and on some small patches of water, duck may be killed early in the day, before being disturbed.

"40. NOORWALLAH, 10 m. | The coun-
41. TABUL, 10 m. | try between
42. MUTTAH, 8½ m. | the Chenab
43. BURRAMULLIAN, 13 m. | and Ravee
44. DHINGAH, .. 14 m. | differs but
45. Lt. bk. Ravee | little from
CHONGAH, .. 15½ m. | the Doab
previously traversed. Around the villages, there is considerable cultivation, but bush and grass jungles abound; the former in the centre of the Doab but the latter near the Ravee. You meet with no streams until reaching Dhiingah; their place being supplied by wells and wheels. Forage for horses is bad the whole way from the Jelum, and even *boosah* is procured with difficulty. The soil is rich but a large tract of land is as yet unreclaimed. Hares, partridges, *floriken*, the rock pigeon and deer are found in the jungles. In most of the marches, the ground is favourable for coursing, and some greyhounds will generally afford sufficient sport to enliven the line of march, hares being

tolerably plentiful especially where there is grass jungul. On the bank (right) of the Ravee, a little above the ferry of Choongah, there is an extensive jungul of grass and jhow, in which the wild hog abounds; they are also deer, hare, partridges and foxes. The jungul is very high and thick, too much so to allow of riding and spearing the pigs, unless first driven into the fields. On foot you can scarcely see too yards before you

"The Choongah ford and ferry are about 2 miles above the town of Sarackpore, and 12 or 14 below Lahore, very sandy encamping ground on the right bank. The ford is a good one, close below the ferry; about 3½

feet at the deepest, close under either bank. Encamping ground on left bank, close to Choongah, a poor town.

"43 JINGHATTI, 10 m.

47 LULLIANA, 12 m.

48 KUSSOOR, 11 m.

49 Rt. bank SUTLEDGE, 8 m

50 FERROZPORE, 7 m.

This Decan is in general sterile, and arid; jungul abounds, and the villages are but few in number. To the right of the road, the country is nearly a complete desert. Kussoor is still a considerable town, but it must once have been of far greater extent, as the road, between it and the Sutledge, winds through ruins for nearly two miles."—*Hurk.* Oct. 7.

SOUTH AUSTRALIA—EXPEDITION TO THE MURRAY.

The expedition to the Murray, for the purpose of recovering from the natives the sheep taken by them from the party of Messrs. Field and Luman, has returned, unsuccessful in that respect, but providentially fortunate in rescuing from imminent peril. Mr. C. Langhorne, and the remnant of his party who had escaped the attack of the natives of the Rufus, in which four individuals belonging to it were murdered, and two severely wounded. We publish to-day Major O'Halloran's account with Mr. Langhorne's letter, and the deposition of Mr. Viller, to which reference is made. In our next we shall lay Mr. Moorhouse's report to the Governor before the public, and submit the views which have occurred to us regarding the steps which ought to be taken to keep open the overland route to New South Wales, and to prevent further destruction of life and property.

In the meantime, we cannot but think that the disappointment so generally expressed, because Major O'Halloran has returned "without firing a shot" is somewhat unreasonable—seeing that, in his presence, the natives did nothing to warrant an extreme measure; and that there were no means of identifying either the robbers of Mr. Luman or the murderers of Mr. Langhorne's servants. It is quite clear that a legally authorised English force could not be permitted to fire indiscriminately upon the natives, as some persons think they ought to have done, or to fire at all save when attacked, or under circumstances in which any white subject of the Queen might

be shot at. We know that many overland parties have not hesitated to fire at the natives whenever they appeared; and it is possible that the tribes now hostilely disposed may have received some provocation. At all events, the rule adhered to by Major O'Halloran on this occasion is the legal and therefore the correct one; and no blame for having enforced its strict observance ought to fall upon his shoulders.

REPORT OF MAJOR O'HALLORAN.

Fortified Camp, "the Hornet's Nest,"

240 miles from Adelaide, 27th June, 1841.

SIR,—I have the honor to report for your Excellency's information, the results of the expedition under my command.

The detachment of police and volunteers, with bullock drivers, cooks, &c. (in all sixty-eight men, including officers) left Adelaide on the 31st May, and arrived at the "Pound," on the Murray, by the 4th instant. Between this point and the Fossil Cliffs, near Lake Bonney, a distance of sixty miles, we halted no less than seven days in all, waiting for the two boats that were to join us from the sea mouth of the river; but finding that our supplies would not admit of any further delay, and knowing that it would be dangerous for the boats to proceed further up the river without our escort, I blazed some trees close to the river side, ordering the boats to proceed

back to the north-west Bend, and await our return there, and also left a letter in a bottle under one of the trees, giving further instructions to the officer in charge of the boats. On our way from the "Pound" to the Fossil Cliffs we induced some native to communicate with us, two of whom promised to act as interpreters, to accompany us to the hostile tribe, and shew us where the sheep were. They, however, left us suddenly, but we were joined by two other blacks at the last encampment before making Lake Bonney. These men seemed very intelligent and confiding, and evinced great hatred to the hostile tribe, all of whom they requested us to kill, stating at the same time that plenty of Mr. Inman's sheep were yet alive, and had a few days before been seen by one of them. On approaching the spot where the sheep were said to be, and within a short distance of where Mr. Inman was attacked, and Lieut. Field's party had been engaged, our interpreters, according to promise, went in advance considerably of the detachment, with a message from me to the hostile tribe, stating, that if the remaining sheep were given up they should not be molested, and they promised to bring several of the tribe back with them to meet us on our approach. Before encamping, this promise was in part fulfilled, for the interpreters met us, but only with one of the hostile blacks, a large and powerful man, who had lately received a gunshot wound through the thigh, and which he pointed out to us. This fellow's manner was quite embarrassed, and he remained in camp all night, and was made much of. He stated that the sheep were very numerous, only one having been killed by a man who would be given up, that they were yet some miles to the north, and that we must make another half day's march before we could get to the spot where the sheep were folded, and in charge of an overland party, who had arrived a few days before, with three days and a large herd of cattle. In the morning, therefore, we started, with our blacks in company, who, however, suddenly sneaked away, notifying to our Adelaide native to keep on the beaten road, and that they would again meet us; as, by crossing the creeks they would save a very considerable distance. After marching eight miles I encamped where we now are (which is in the very heart of this hornet's nest) and then pushed on with the mounted men, six miles further, to ascertain if any reliance could be placed on the information so frankly given. When we had proceeded the above distance, on Tuesday last, the 22nd instant, we suddenly fell in with Mr. Langhorne's

long expected overland party, and who had been attacked by the same tribe that we are amongst but two days before, having had four men killed and two wounded out of sixteen individuals, twenty head of cattle dispersed, others having been killed, and nearly all their property and supplies taken from them. They were in the most wretched and deplorable state imaginable, and appeared on seeing us as men would do who were unexpectedly relieved from apparently certain death. All had given themselves up for lost, and expected to be murdered that very night on the spot I now write from. The scene then witnessed will never be forgotten by any present. The enclosed letter from Mr. C. Langhorne, with the informations on oath taken by myself and brother magistrate Mr. Moorhouse from others of the party, give full particulars of the attack. On Wednesday morning, the 23rd instant (our blacks not having returned, and who were doubtless spies sent out amongst us), I left our camp here (fortified) with a strong foot party under command of Capt. Fergusson; and with the remainder of the detachment scoured the country around four miles in all directions, with the hope of making prisoners, and recovering some of the sheep, but we returned before dark, unsuccessful in both objects, for we found that the whole of the sheep had long before been slaughtered, as we saw their carcasses and bones thrown about in vast heaps in various places where the blacks had formed large encampments, and had folded the sheep; and though we saw and chased thirteen natives (the only number seen on our side of the river, though numerous enough on other), they were ever too close to the water's edge to admit of our securing them, for they took to the river when driven through the high reeds on its banks, and which rose above our heads when on horseback, and thus from the want of boats, escaped us, though only a few yards distant. They might all with certainty have been shot, but when they found we would not fire, the villains laughed at and mocked us, roaring out "plenty sheepy," "plenty jumbuck," (another name of theirs for sheep) and one of them repeated the word "Cornu" several times, who was instantly recognised as the black that had been with us for several days, and who volunteered to act as interpreter and negotiate between us, and this brutal tribe. This fellow had explained to us that "Cornu" meant white chalk, and not "a chief," as we imagined.

Considering myself now fully justified in rendering Mr. Langhorne all the assistance in my power, and hoping yet to make some

prisoners, I left our fortified camp again, leaving the entire foot party under command of Mr. Inman; and about half-past three p.m. on Thursday, the 21st instant, with the mounted detachment got to Langhorne's Ferry, on the Rufus where his party were attacked, and there found the body of one of his murdered men lying along the bank, guarded by a faithful bull dog that had been speared in to places by the blacks, for he had fiercely attacked them; the noble animal, on seeing us, set up a piteous and heart-rending howl, swam across to the opposite side, and has not since been seen. Martin's body was covered with wounds—his head and face frightfully battered with waddies—and his entrails and thigh bones taken out. Part of a dray, floor in heaps, broken muskets, and other articles, lay strewn around, as also many waddies and jagged and pointed spears, with blood, flesh, and hair upon them; also several dead calves. The sight was altogether horrifying; but as the day was far spent, and it would require considerable time to cross a party with horses over the Rufus, I retired for the night to a flat miles distant, where there was good feed for our horses; and early the next morning (Friday, 26 instant) was again at Langhorne's Ferry. A grave was then dug for the remains of poor Martin, and I had the melancholy satisfaction of giving him christian burial, and reading the funeral service over the corpse, a large fire being afterwards lit over the grave to prevent the blacks from recognising it. These wretches had taken his body out of the water to extract the thigh bones, but what they have done with the other three we could not discover, though the river was traced to Lake Victoria (into which it now empties itself, though in the summer into the Murray), with the hope of recovering the relics of the murdered men. Before twelve o'clock, Inspector Tolmer, with eighteen mounted men, was across the Rufus, with instructions to sweep a little inland, towards the Lake, whilst my party of fourteen men scoured this side of the river. A scout soon testified to me that thirty blacks were running along the edge of the Lake, and we pushed rapidly along after them, crossed the river on horse-back at the junction of the Rufus and Lake, along which we rode for some miles, but had the mortification to find that those pursued were far beyond our reach, and already across the Lake, when we counted no less than eight canoes together. We now re-crossed, opened out, and watched the banks of the Rufus for a considerable distance, hoping that Inspector Tolmer's detachment might drive some blacks

before him towards us, but they were as unsuccessful as ourselves; and now finding that the whole country was alarmed by extensive beacon fires, we recruited, and after blazing some trees near the river at Langhorne's notifying to overland parties to beware of the blacks, we retired to the same flat occupied the night before, and yesterday returned to our fortified camp, and are resting to day to recruit our poor jaded horses. I have the satisfaction of adding that we have recovered fifty-three out of seventy head of missing cattle, and have been the happy means, under Providence, of rescuing twelve of our countrymen from inevitable death, and 710 head of cattle (the number now here) from being lost to the owner and the colony.

Unfortunately, after great exertions and anxiety, we have failed in making any prisoners; but this has been owing solely to the boats not joining and for which I cannot account.

In a country such as we have gone over, intersected by rivers, lagoons, and creeks, and thick with polygynium scrub and high reeds, it is next to impossible to surprise any blacks, for all know the approach of any party from the time they make the river, into which the natives plunge, and as once escape to the opposite side, and are there secure from every danger.

The cruel tribe we are now surrounded by are very numerous, and have, doubtless become emboldened by having defeated three successive parties of Europeans, and having also escaped punishment from any detachment. Along the Lake Rufus, and Murray, the property of Messrs. Inman and Langhorne has been found, and a gentleman has only now come in from a trip to examine the ground on which Lieut. Field encountered the blacks (two and a-half miles from this), and has brought with him a hymn book that belonged to one of Mr. Langhorne's party. Mr. Inman was attacked three and a-half miles from this, and Mr. Langhorne fifteen miles, and which clearly proves that this tribe only, in the last three instances, are the murderers of our countrymen and the plunderers of their property.

To the entire detachment I am greatly indebted for their zeal and exertions, and am most grateful to the gentlemen volunteers for their assistance, and admirable example

cheerful obedience to orders, and great attention to every duty performed by them.

We commence our march homeward to-morrow, having been to the extreme frontier of the colony, and I propose sending this report to town by express after passing Lake Bonney, before which it would not be safe to do so. As the roads are bad, and the cattle party who require our protection travel slowly, I do not think that the police can make Adelaide before 12th or 14th proximo; but I hope to reach town a few days after this letter when my journal will furnish your

Excellency with any further information you may require.

I have the honor to be, Sir, your Excellency's most obedient,

humble servant.

T. O'HALLORAN.

Commissioner of Police.

His Excellency Capt. Grey,
Governor and Commander-in-Chief,
Head Quarters, Adelaide.

South Australian Register, July 10.

OPPRESSION AT MIRZAPORE—MR. STEWARTS' CASE.

We have had several complaints made to us of late that certain of the Civil Authorities at Mirzapore have got into a habit of taking somewhat undue advantage of their official situations, to the great annoyance, and indeed oppression, of the British residents there; and if what we have heard be true, it is time for the Press to endeavour to attract the attention of the Government to the state of the case. We mean the Government of India, for from all that is before us we should infer a blamable degree of supineness on the part of the Agra Government, which has allowed impunity where ought to have been redress,—and when we recollect how the then President in Council judged and decided in Mr. Oldfield's case (and that he had taken of the Honorable Court's displeasure, for his *sheltering* minute therein) we conceive that the interposition of the Supreme Government is necessary at present, to keep the subordinate one properly up to its work. A few months since there was a forcible entry made into a merchant's dwelling house, without his being aware of any previous process, and his property carried away from it, by a magistrate's people under a judge's order, and though the Sudder Court of Allahabad ordered peremptorily the restoration of the goods, which however, were not immediately restored (and part of the property is not restored to this day) yet the Lieutenant Governor would take no notice of the matter! More recently the individual who is the magistrate—such is the version before us—called the servant of a gentleman to his house to make some inquiries about a horse of the gentleman's. The latter hearing of this, wrote a private note to the *Enquirer* as a private person, and not in his magisterial capacity at all, in which he had not been acting, to beg he would desist from what the note termed a course of such

unwarrantable interference and impertinence, for the future. Upon this the magistrate comes forth, with a public letter, requesting the gentleman to attend at his Cutcherry the same day at noon; to which the gentleman replied in a private form, stating that his previous communication was strictly private, addressed as from one gentleman to another, and having no reference to the official position of the magistrate. This note was returned, *having been opened*, but without any message; so the party did not go to the Cutcherry; and at two p. m. down came a suwar and four peons (an unusual procedure) to deliver an order for his attendance. Still he did not attend, and next morning before daybreak his house was surrounded (this occurred but on the 12th instant) by Peons, by the magistrate's order, as if he had been a criminal, and thus the case stood when our letter was despatched. Now if the above be a correct account of the circumstance, and certain we are that it is not wilfully otherwise, there can be no doubt we think that the magistrate's conduct has been illegal; for without any charge or information being laid against the gentleman, we see not what right the magistrate had to order him to his Court, and to treat him like a suspected criminal for declining to go. The getting the servant to his (the magistrate's) private house, in the first instance, and trying to extract information about the master's horse, was no magisterial act, at all events; and if he had not chosen to resent the rebuke he got for it, as a private gentleman, he certainly had no ground for calling in his judicial power. If the statement we have here given be not the correct one, we shall of course be happy to insert any opposite authenticated version of the case,—but the liberty of British subjects in the mofussil is a thing of

too much importance to admit of our being silent when we receive accounts of its violation from a respectable informant.—*Englishman*, Oct. 10.

Though the Magisterial doings at Mirzapore should be all as represented by our contemporary. The *Englishman*, we seen in them no grounds for calling upon the Supreme Government to wig the head of the Agra Sub-Presidency. The merchant whose goods were illegally taken, applied to the proper source of redress, the Sudder Court of Allahabad, and if the goods, notwithstanding its order, are still detained, he should obtain a conviction by the Court to that effect. If this is against a local Judge or Magistrate, then, we think, will be the time to apply to the Lieutenant Governor for a visitation upon him who has been guilty of the malfeasance.

Our contemporary, we believe, will find that he is not in possession of the *virus* of the other case in which a certain party wrote an insulting letter to the Magistrate, tending to a breach of the peace, by telling him not to be guilty of a certain "unwarrantable interference and impertinence." Does our contemporary know why the Magistrate called the servant of the letter writer to his house—and why he made enquiries about the horse in question? We think our contemporary will answer that he does not, and that upon obtaining particulars he will find that it has been an attempt on the part of the owner to make a private matter of that which was really an enquiry undertaken in the performance of magisterial duty. If this is the case, the insulting note would be a sufficient justification for the Magistrate, or any other judicial officer, calling the writer before him, and for taking proceedings to enforce obedience to his public orders. The Magistrate, throughout has treated it as a public affair, and whether he was right or wrong in this, and other party would but have acted correctly in obeying the official orders, and then bringing their incorrectness, if such existed, to the notice of a higher authority.—*Cal. Courier*, Oct. 19.

The *Courier* of Tuesday has taken up the cause of the Mirzapore Judge, and Magistrate, on whose respective proceedings we animadverted on that day, but he seems to us to have neither information nor argument sufficient to make out a case in favor of the side he undertakes to defend. In regard to the forcible entry made some time since into the premises

of a gentleman there, we mentioned that appeared to us to be paid to the *laws* by that merely as a single instance of the little regard those whose duty it is to see that they are never violated; but we did not intend to put it forth as the sole ground which was laid before the Agra Government for its interposition, to check the local authority alluded to in that matter, in a *line* of conduct which was decidedly most objectionable, if the statement laid before the Lieutenant Governor were correct,—and certainly he should have at least instituted some enquiry whereby to ascertain whether or not it *was* correct. The simple effect of the unlawful entry and seizure of property, is one for which we do not doubt that an action would lie in the Supreme Court, and we very strongly recommend that one should be brought against the Judge who ordered the procedure; but it was not *that* circumstance alone, nor particularly, that the protection of the Agra Government was sought, but a series of (to use a light term,) annoyances and vexations, which were fully set forth, and which no government resolved to do its duty would, in our opinion, have passed over. We know that on a representation against the then judicial authority of Mirzapore, from the highly respectable gentleman who is now the complainant, Lord William Bentinck forthwith removed that functionary, but as the spirit in which this latter acted was not thereby quenched, it has been found necessary to appeal to the Government again, and we are perfectly certain that no deaf ear will be turned to the complaint in Council *here*, however it was disposed of in the little cabinet of Agra. In respect to the more recent case which we mention, on Tuesday, of the Magistrate of Mirzapore having acted in a mixture of his private and public character, the *Courier* asks us if—but we will give his own words:—

'Our contemporary, we believe, will find that he is not in possession of the *virus* of the other case in which a certain party wrote an insulting letter to the Magistrate, tending to a breach of peace, by telling him not to be guilty of a certain unwarrantable interference and impertinence.' Does our contemporary know why the Magistrate called the servant of the letter writer to his house—and why he made enquiries about the horse in question? We think our contemporary will answer that he does not, and that upon obtaining particulars he will find that he has been an attempt on the part of the owner to make a private matter of that which was really an enquiry undertaken in the performance of magisterial duty. If

this is the case, the insulting note would be as sufficient justification for the Magistrate, or any other judicial officer, calling the writer before him, and for taking proceedings to enforce obedience to his public orders. The Magistrate throughout has treated it as a public affair, and whether he was right or wrong in this, the other party would but have acted correctly in obeying the official orders, and then bringing their incorrectness, if such existed, to the notice of a higher authority.'

Now, if instead of asking us if we knew the true particulars, our contemporary had given us what he is informed are such, he would have brought the matter to a point where there must be refutation for one side on the other; but after our giving such version as we were possessed of, and stating that we had it from a quarter which would not intentionally lead us astray, and expressing our readiness to give insertion to any counter-statement that might come to us under similar authentication; there could not possibly be adopted a more feeble mode of replying to us than demanding whether we knew the real state of the case, and yet not giving us any other version! The *Courier* insinuates that the Magistrate was all along acting in his official capacity; but as further information which we have obtained gives us to understand that he sent for the gentleman's servant to his (the Magistrate's) own private house, on a Sunday, and there questioned him on some matters concerning his master's private affairs; we are totally at a loss to conceive how this can be called acting in a magisterial capacity, where no criminal charge was laid against the gentleman, and where, if there had been, the process should have been different. We know nothing whatever, personally, of either the magistrate or the other gentleman, but we commented on the statement we received just as we do in a hundred other cases, where we have reason to rely on our authority for the facts; and it appeared to us that when the gentleman whose servant was so dealt with, heard of the circumstance, he was fully justified in writing in indignant remonstrative terms to the individual who had so acted. As to the *Courier's* argument that one gentleman's writing to another that that other had acted impertinently, tends to a breach of the peace, it goes in this instance for nothing whatever; because the breach in such cases comes from the party so addressed, and if they do not choose to resent the affront in that way, the peace is in no danger. Now as the person written to, in this case as a private individual, for what he had done in that capacity, happened also to be a Justice of the Peace, he must have known as Justice,

that there was no intention to break the peace; but if he, as the private person, had laid a complaint before himself as Justice of the Peace, then the proper process for bringing the other party before him to be bound over, was not by writing to him to request him to attend at his cutchery—no reason assigned—and surrounding his house with pions when he did not attend! The upshot of the matter was this, according to our latest account of it. The gentleman so treated had laid his dawk to proceed to Calcutta, and rather than forfeit that, and risk injuring his business, he did at last attend at the cutchery; and then the Magistrate having asked him his intention in sending him the rebuking letter, was informed that it was addressed to him as a private individual, and with the view of letting him know what the writer thought of his conduct in respect to the servant; on which the Magistrate told him he would have to be sent to Calcutta under a guard! Was there ever such nonsense? The end was that the Magistrate fined the party one hundred rupees for sending him a threatening letter (which contained no threat, at all events) and bound him over for twelve months. The *Courier* may think at all this precisely the course which a mofussil Magistrate should adopt towards a British subject; but as we have a different way of thinking on such points, we trust the matter may not rest at this stage, but that something will be done to show that such a functionary has not a greater degree of power than the Lord Chief Justice of the Queen's Bench himself.—*Englishman*, Oct. 26.

The reply of the *Englishman* this morning to our comments on his statements relative to the Mirzapore Magistrate confirm the opinion we had formed, but (as it appears that the transaction has a chance of being examined elsewhere) into the merits of the case, as we have heard them, we shall not enter—nor shall we object to any animus which appears to have been actuating one party according to our contemporary's own statement. We must, at present, therefore, rest contented with observing that as, in the old tale, one side of the shield was silver and other side gold, so our contemporary may have seen the one and ourselves the other, and we can also assure him that we are in the same predicament with himself—we know personally neither of the parties.

We do not feel the force of our contemporary's observation relative to the gentleman's writing to the Magistrate an insulting letter, tending to a breach of the peace

because the very fact of writing such a letter is a ground for holding the writer to bail, without any regard to the consequent intention of the party receiving it. Our contemporary does not appear to be aware that the sending a letter provoking another to send a challenge is an indictable offence, because, as Lord Ellenborough on a similar occasion justly observed, "although the intended effect may not have been produced, yet the means calculated and likely to produce such effect have been used."

The endeavor to separate the character of the Magistrate, from that of the gentleman in this transaction is, therefore, futile—at least if we are rightly informed—and to send an insulting letter to a Minister of justice for acting even mistakenly in such capacity is not to be tolerated for an instant. It ended in the Magistrate fining the writer one hundred rupees, and binding him over to keep the peace for twelve months. Why was this fact not stated in the first instance, we do not mean by our contemporary but by his informant?

If the Magistrate has done wrong—if he has exceeded his powers—or acted in any way oppressively—then we join in the hope that he may be duly punished, and, on the other hand, if the writer of the letter in question has acted insultingly, litigiously, and extravagantly towards the Magistrate, we hope that he will be taught to direct his politeness towards others rather than towards those who his conduct will then shew, are very necessarily put in authority over him.—*Cal. Courier*, Oct. 21.

As every one, having the interests of the country at heart, must consider it desirable, that all possible encouragement to the employment of British skill and British capital, in the Mofussil, should be held out by the Government of India, we earnestly hope that that body will take into their immediate consideration the case, which has recently been laid before them by Mr. Stewart, of Mirzapore. It is a matter of the utmost importance to the well being of the country, that British subjects should find every inducement to settle in this country, and to direct their industrial energies towards the developments of the physical resources of the country, the improvement of its manufactures, &c. and for the furtherance of this end, it is especially incumbent on the servants of the Government to encourage, in every possible way, the well-directed endeavours of British colonists settled in the districts under their

administration. That the servants of the Government are not always actuated by these laudable considerations is, we fear, but too notorious a fact. We have observed, with sorrow, the frequent collisions between independent British residents and the Civil authorities in the Mofussil—collisions, which cannot fail to deter many from taking up their residence in localities where, however advantageous these localities may be in other respects, the representatives of the Government impede, rather than encourage their labours—and seem more disposed to oppress, than to protect, in their characters of Magistrate and Judge. That Mr. Stewart, of Mirzapore, has had but too much reason to complain of his treatment by the Government servants has already been shown, in one instance, by the decision of Government itself; and, now again, he has found it necessary to appeal to the Governor General in Council.

We are by no means disposed to pronounce hastily upon this case; but it certainly does appear, from the records of past event, that there has been a long-standing grudge on the parts of the Civil authorities, which has survived even certain changes in the Mirzapore administration, against Mr. H. T. Stewart, an enterprising merchant in that city, and we cannot but think, after a careful perusal of copious correspondence—official and semi-official—that the Civil authorities of Mirzapore have acted in an unbecoming and unwarrantable manner. The statements, which have appeared in the *Englishman*, though not very clearly distinguished, are, we have reason to know, substantially correct; and, upon the most favorable review of them, we cannot but pronounce, that the civil officers above named, have, in one instance, as greatly exceeded their authority, as in another, they have fallen short of what their actual duty required of them; that, in short, there have been faults of commission and omission, which the Government are bound to notice. We take one example out of several, which we might bring forward, were we so inclined.—The forcible entrance made into Mr. Stewart's house and seizure of that gentleman's property, in 1839,* cannot be justified upon legal grounds. Unless we are greatly mistaken, they were altogether illegal acts, and Mr. Stewart may have his action against the Judge, who ordered the forcible entrance and detention of property. The heat and front

* The results of this seizure has been, before that different courts ever since this date—about the middle of the present year—Mr. S. appealed to the Agra Government.

of Mr. Stewart's offending appears to be, that he assisted a friend in his difficulties. Having once or twice, in the fullness of his benevolence, either made pecuniary advances, or stood security for this party, to but little purpose in the end, he was compelled, in justice to his family, to receive, in part liquidation of the former debt, and partly as an equivalent for further advances, certain items of his friend's property—which were duly made over to him for value received. Now, this transaction was a *bona fide* transaction. At the time of the transfer of property, the party, from whom Mr. Stewart received the goods, had not been arrested for debt, nor had any execution been taken out against him. The articles were legally purchased by Mr. Stewart, and they were as much his own property, as if he had possessed them for twenty years. Nevertheless, Mr. Stewart's house was forcibly entered by certain myrmidons of the Magistrate and Judge, when not only was this property carried off, but other articles which had been, in that gentleman's possession, for nearly twenty years. Among other valuable items, were a piano and an Arab horse. The former was removed from one place to another—necessarily to the injury of the instrument—and at last located in the house, wherein resided certain members of the family of the Mirzapore Judge himself. It is right to state the Judge denies all this, but Mr. Stewart declares himself to be prepared with his proofs:

Upon an appeal being made to the Sudder Board of Allahabad, the Judge was ordered to restore the whole of the property he had seized from Mr. Stewart; but though orders to this effect were sent down no less than five times they were disregarded by the Mirzapore authorities, and Mr. Stewart's property was still unlawfully detained. Some portion of it, including a horse, valued 1,050 rupees, has not yet been restored but the animal has been—sold.

This is an outline of Mr. Stewart's case against the Mirzapore authorities, but there is much beside requiring comment. The substantial injuries thus inflicted on this gentleman, have, it is alleged, been greatly aggravated by the manner in which these Mofussil dispensers of justice despotically used him, in their Courts. Though there was much of the *fortiter in re*, there was none of the *suppiter in modo*. If, under a mistaken impression of the legality of their proceedings, the Mirzapore authorities considered it their duty to seize certain property in Mr. Stewart's house, it surely was not necessary that they should authorize such proceedings, actually took place within the dwelling,

where the peons did not hesitate to break into the apartments occupied by the ladies of Mr. Stewart's house and actually to force themselves into a room, where was a young lady suffering under a severe visitation, the severity of which the alarm created by the entrance of the men considerably enhanced. Mr. Stewart, moreover, alleges, that when forced to make his appearance in Court every possible obstruction has been thrown in his way, and every annoyance, caused to him by the presiding judge. He states that he has been invariably refused copies of the Court's proceedings in cases, wherein he is concerned; that he has been forced to write his answers to the Judge's questions in Court, kneeling on the cutcherry floor, every chair and table having been, purposely, as it seemed to him, removed; that such has been the annoyance experienced by his wakeels and mooktears, and the intimidation to which they have been subjected, that they have refused any longer to represent him, and that, consequently, to the great detriment of his business, he has been compelled personally to appear in Court, even on the most trifling occasions, and there to be exposed to every annoyance, that the ministers of justice can put upon him. Such is Mr. Stewart's statement, backed by a multitude of public documents and fairly inviting contradiction—a statement, which having laid before the Agra Government to no purpose, he is now submitting to the Supreme Government of India. He has suffered much both in his purse, and his character, by these oppressive acts of the Mofussil ministers of justice—he has been treated as one, who has broken the laws of the country, exposed as a malefactor in the district, wherein his house of business is situated, and among the people, with whom his credit has to be sustained. No greater injury could be inflicted upon a merchant, having extensive transactions in the country, than thus to break into his house, and carry off his property, as though he were a person mistrusted by the authorities—it is to aim a blow at his credit, which it is almost impossible that he should survive in a locality, where such proceedings are but imperfectly understood. We consider this a matter of great moment, for the reasons stated at the commencement of our article; and, we earnestly hope, that the Government of India will look upon it, in the same light as we do ourselves.—*Hurk*, Oct. 23.

The *Englishman* and *Hurkaru* unite in advocating the cause of Mr. Stewart in his dispute with the Magistrate of Mirzapore and we have before ventured to make some

suggestion arising from the first-named of our contemporaries' own statements, shewing his blindness, and which he confesses he seeks by seeking refuge in impertinencies. We shall leave him, observing only that we have never defended the Magistrate's Sunday operations though, if these operations related to tracing out property which he believed had been illegally transferred by an insolvent to Mr Stewart, he was quite right seeking for information even on the Sabbath, because such a transfer partakes of a criminal nature—and that our contemporary knows.

Let us turn to our other contemporary, by whom, if we have any further controversy on the subject, we shall, at all events, be met in a gentlemanly spirit.

It is somewhat beside the question for the *Burkuru* to observe, that Mr. Stewart was injured by a former Magistrate, because that case was decided upon its own merits, and so will the present—and as it is idle to insinuate that there is such a thing as successional feuds among Magistrates the most that the above statement can offer in Mr Stewart's favor is, that he has been very unfortunate, whilst his opponents, on the contrary, will suggest that it is *prima facie* evidence of his being rather litigious.

Our contemporary says that the forcible entry into Mr Stewart's house in 1839 cannot be justified upon legal grounds—our opinion is the other way, if the facts are rather different than as stated by our contemporary. If the Magistrate, of course at the suggestion of creditors, considered that the placing the furniture, &c. in Mr. Stewart's house was a concealment of property from them, in that case the Magistrate would be justified in breaking into the premises and seizing the goods. At all events it was an undue preference shown to one creditor to the injury of others, and if the furniture was given, as we believe, immediately before the gentleman's insolvency, his assignees would have recovered them from Mr. Stewart. The latter gentleman would have acted more wisely to have given them up quietly, and tried the right to them at law. It would not have placed him in a worse position than he is, and would have saved much expense. If it can be established that there was no such concealment, or if the Magistrate seized any goods *bona fide* the property of Mr Stewart, he must abide the consequences of his error, but he denies that he has seized such goods—and we presume it was to gain information relative to the bona fide part of the property seized; that he sent for Mr. Stewart's eyes, and to which this gentleman objected,

in the letter we alluded to in our last notice of the subject. If the Magistrate has acted wrong on this point, he must pay the penalty, and this is now before the proper tribunal, as Mr Stewart alleges, he has been treated with any indignity in the Magistrate Court; if he has been subjected to any petty, little-minded annoyances by the subalterns of the Court, we hope that these will be visited with a fully commensurate punishment, and if these were brought to the Magistrate's notice, and were unredressed by him then let him be included in the retributive visitation.

We quite agree with the *Burkuru* in his estimate of the vast importance of preserving the European merchants, embarking their capital in the Mofussil, from needless vexation and much more from oppression, but it is no less important to uphold the Magistrate—the administrators of justice—from being improperly insulted, harassed, thwarted, or defied.—*Cal Courier*, Oct. 23

In the notice we took a few days since, to general allusion rather than nominal specification, of the proceedings on the part of Mr. Palmer the judge at Mizaporé towards Mr. Stewart the head of a long established commercial House there, we did not think it necessary to enter upon the subject with that minuteness or at that length which we should have adopted had the case been one relying wholly or mainly on the advocacy of the Press for its being properly dealt with; but we were aware, when we wrote, that the Judge's proceedings had been presented by Mr. Stewart to the Governor General in Council, and we felt quite certain that the requisite investigation step would be taken or ordered by his Lordship we at once saw that if Mr. Stewart's proofs bore out his statement there would appear of his not obtaining redress, as the Government could render it; and as from a perusal of all the papers we were persuaded that the proofs were ample, we resolved to await the reply to the reference before we said anything further. The distinct fact of forcible entry into Mr. Stewart's premises, even as we saw at once was illegal, and that the Supreme Court could deal with that, though the Supreme Government could not, if the law were appealed to as we advised that it should be. The Editor of the *Courier* proposed to take up the other side of the question, in a very profound ignorance of the circumstances, and the natural consequence has been that he has jumbled two dissimilar cases together, the other, being the quite recent case of the Magistrate of Mizaporé having been questioned towards Mr. Campbell;

and as we trimmed him for his stupidity he has taken the earliest opportunity to turn towards the *Hurkaru*—who has taken, with us the right view of the original question—on the plea that he the *Courier* hopes to be more gently treated by that adversary than his smarting experience gives him room to hope from us, who have no toleration for the disgusting duncery and pertness. Just to give one instance of his method of argumentation, in a case concerning the liberty and legal rights of British Subjects in the Mofussil, and to show our readers how anxious this Melbourneite and Elliot-worshipper is to uphold arbitrary conduct; we shall extract the following sentences from his remarks on the *Hurka u's* article:—

‘ Our contemporary says that the forcible entry into Mr Stewart’s house in 1839 cannot be justified upon legal grounds—our opinions the other way, if the facts are rather different than as stated by our contemporary. If the Magistrate, of course at the suggestion of creditors, considered that the placing the furniture, &c. in Mr. Stewart’s house was a concealment of property from them, in that case the Magistrate would be justified in breaking into the premises and seizing the goods. At all events it was an undue preference shown to one creditor to the injury of others, and if the furniture was given, as we believe, immediately before the gentleman’s insolvency, his assignee would have recovered them from Mr. Stewart. The latter gentleman would have acted more wisely to have given them up quietly, and tried the right to them at law.

He sapiently begins by stating that if the facts are different from what they are alleged to be by the person delivering an opinion on them, then a different opinion would most likely be the more correct one. ‘ A man uncharged with any offence,’ says A. has had his house broken into, his property taken, has been cast into prison, and summarily transported, which is oppressive and illegal.’ ‘ Oh ! says B. I beg leave to differ with you—if the facts are different. Suppose he was charged with fraud, and with having stolen goods in his possession, and was duly tried and convicted ?—then I think the process was quite legal !’ Such is the *Courier’s* mode of argument, in a case of which he knows nothing ; and then he goes on (after laying down, as law, that, on the mere suggestion of a creditor, a Magistrate is justified in breaking into premises and seizing property!) to suppose a set of facts, to-

tally unfounded, and impudently slanderous of a gentleman who is his own superior in almost every respect in which superiority is desirable, and (as will be seen by the next extract) he jumbles up the case with another that is totally distinct from it; for he says (with his *ifs* again)—

‘ If it can be established that there was no such concealment, or if the Magistrate seized any goods *bona fide* the property of Mr. Stewart, he must abide the consequences of his error, but he denies that he has seized such goods—and we presume it was to gain information relative to the horse, part of the property seized, that he sent for Mr. Stewart Syce, and to which this gentleman objected in the letter we alluded to in our last notice of the subject. If the Magistrate has acted wrong on this point he must pay the penalty, and this is now before the proper tribunal. If as Mr. Stewart alleges, he has been treated with any indignity in the Magistrate’s Court ; if he has been subjected to any paltry, little-minded annoyances by the subalterns of the Court, we hope that these will be visited with a fully commensurate punishment, and if these were brought to the Magistrate’s notice, and were unredressed by him, then let him be included in the retributive visitation.’

Now, here is as neat a jumble as could be expected from a very clever and clear headed personage ! The Magistrate who, under the Judge’s order, made the forcible entry, is not the magistrate whom Mr. Campbell has called to task for making private enquiries of the latter’s servant, nor is the former magistrate even at Mirzapore at all now, nor was the horse which was originally seized, among the rest of Mr. Stewart’s property, mixed up with Mr. Campbell’s case at all, nor was the servant in question Mr. Stewart’s servant, nor was he even a *Syce*, nor was there any letter of objection from Mr. Stewart on the subject ! So much for the Editor of the *Courier*, who cannot escape from us, on a matter of public importance, which he dares to garble, by wriggling over to the *Hurkaru’s* arena in hopes of milder treatment. If, as an Editor, he cannot, in spite of nature, be able, let him at all events be honest, and by that means he will be safer from our severity than in his present most pitiful contrivance to escape it.—*Englishman*, October 25.

The *Englishman* has another of his consistent articles (this morning relative to the Mirzapore Magistrate; consistent in misrepresen-

tation of the case, for he says he has read all the relative papers; and consistent in its impertinence. We only revert to the subject that we may warn the public that our contemporary's "all" means nothing more than the *ex parte* statements; and that the counter-statement represents the principal features of the case very—very differently. They are both before the judgment seat, and we have no doubt that justice will be done. The *Englishman* objects to our putting the case precluded by "if"—an objection not to be wondered at, coming from one who is notorious for considering his information infallible, running riot in consequence, and then having to eat his own words—*vide* the cases of General Elphinstone, Captain Smith, &c. Having only seen *ex parte* facts, our contemporary had acted more wisely if he had written hypothetically.

Our contemporary says we have impudently slandered a gentleman infinitely our superior—whether our superior or inferior we shall be much less reluctant to acknowledge our error, when pointed out, than our contemporary was in the case of Captain Smith. But we defy our contemporary to show that we have slandered any one in what we have written upon this subject; and as for our smarting under our contemporary's abuse, we do assure him that he is like the boy who thought he hurt the wall when he only cut his own knuckles, and, let us add, that the last thing we shall ever desire is our adversary's approbation, when he writes as he did this morning, about our *ho-nesty*.—*Calcutta Courier*, October 25.

As we rarely see Saturday night's *Courier*, until Monday morning, we were not aware, until the matter was brought to our notice in yesterday's *Englishman*, that our evening contemporary, had fallen foul of our comments on the case of Mr. Stewart of Mirzapore, else should we have come forth, yesterday morning, with something in the way of a gentle rejoinder. We can not conceive why our contemporary should consider himself, whether in possessions of facts or not, bound to put himself forward as the apologist of every thing and every body. When we wrote, of the injustice, with which Mr. Stewart had been treated, we had numberless letters and documents before us, from which we gleaned the facts of the case, making out of them "a plain unvarnished tale" of oppression, the truth of which we imagine it will be somewhat difficult to disprove; yet the *Courier*, without knowing anything

more about the matter than what he gleaned from the *Englishman's* column or our own, ventures to question the accuracy of our statements, and exhibits a deplorable ignorance of the whole affair, by mixing up events which occurred but yesterday with others, which occurred two years ago, confounding names, dates, incidents, everything, and placing himself thereby in the unenviable predicament of one, who is proved to have impugned the authenticated statements of another, without possessing a single particle of information on the subject himself. We need not take the trouble of exposing the blunders, into which our contemporary has fallen, in his injudicious endeavours to handle the cudgels on the side of a bad cause, because the *Englishman* has already done so, and the apologist must have seen, by this time, that he has only made matters worse; but we really must exhort our contemporary not to question the accuracy of the details, which we have been at the trouble to collect with taking the trouble himself to collect any details of an opposite tendency, or even to possess himself of a bare outline of the events which have been brought to the notice of the public. We do not expect to be contradicted by one, who has not been at the pains even to inform himself generally of the matter, whereon he undertakes to discourse. When a writer knows nothing, on any particular subject, we demand of him that he should say nothing—at all events that he should not contradict those, who have, at some trouble to themselves, been collecting that very information, which he is, demonstrably, without. Now, whether what we have written regarding Mr. Stewart and Mr. Taylor proved to be true, or not, the *Courier* had no right to contradict us, because he had no facts to oppose to those, real or alleged, brought forward by the *Englishman* and ourselves. We do not expect, when we make positive statements, to be answered by "Ifs,"—*Hurk*, Oct. 26.

Our contemporary the *Hurkaru* is very indignant this morning at our having noticed the Mirzapore case without our being in "possession of the facts." It may be that we are not so possessed though we have read all that he and the *Englishman* have written for Mr. Stewart, and though we have heard what is urged for the other party. Not having copies of the papers on either side has led us into the only error we have made relative to the case—for having to trust to memory relative to the counter-statement,

we with our surmise respecting the horse as if it were part of another grievance alleged. you will find that I am not the raw-head-and-bloody-bones that the *Hurkaru* has depicted.

As to our being the "apologist of everything and everybody," but one observation need be made in reply—we never defend any except those who we believe have been erroneously attacked—and we are always more ready to believe the narrative of the defendant than of his assailant, not only because made usually under less excitement of feeling, but because we never shall forget that golden rule of justice and mercy—every man has a right to be presumed innocent until proved to be guilty.—*Calcutta Courier*, October 26.

'Conventio privatorum non potest publico juri derogare.'

TO THE EDITOR OF THE ENGLISHMAN.

Sir,—I have observed in your papers of the 19th and 21st, and in the *Hurkaru* of the 23d instant, certain charges against the Judges of Mirzapore. To answer them in detail would involve me in a newspaper discussion with your most respectable informant, for which I have neither leisure or inclination. I shall in consequence only mention that Mr. H. T. Stewart addressed a petition to the Government of Agra on the 5th of June last, in which he brought forward all the complaints contained in the *Hurkaru* and many others. The Government called on me for an explanation, which I gave, replying fully to each charge and supporting my assertions by the strongest documentary evidence. If my statement had not been perfectly satisfactory, a farther enquiry would have been instituted by the deputation of a Commissioner, but so far from such being the case, I received a letter from the Judicial Secretary annexing a copy of his reply to Mr. Stewart for my information. It was worded thus: 'The statements you forwarded and the documents which accompanied them, have received the careful consideration of the Hon'ble the Lieut. Governor, and I am directed to inform you, that none of the allegations are considered to be such as require the special orders of the Government.' There are many merchants at this station who have larger establishments and trade to a greater extent than Mr. Stewart, but there is no one so constantly in the Courts, and if you will take the trouble to enquire of the highly respectable correspondents of the other houses,

From the recommendation that your respectable informant should bring his action the Supreme Court, you cannot, I presume, be aware, that so far back as Oct. 1839 he consulted the most eminent counsel in Calcutta, a few garbled extracts of whose opinion were appended to his memorial, but the case on which the opinion was given was withheld. On the correctness of facts set forth in an ex parte statement, the correctness of any opinion founded on them must depend; if therefore Mr. Stewart did not think it expedient to prosecute on the opinion he then received, he will not be very wise to do so at present.

The *Hurkaru* mentions that your informant has appealed to the Right Hon'ble the Governor General in Council. I am rejoiced to hear it, for there is no one more desirous than myself of seeing him receive his full measure of justice.

The transaction between Mr. Stewart and his friend has supplied me with a motto for this letter. The *Hurkaru* must allow me to supply the omission of the friend's name. The object of Mr. Stewart's benevolence was no less a person than the well known Edward Bathurst.

I must now conclude, and I have only to ask your Brother of the *Hurkaru* and yourself whether it would not be more fair and manly to allow the case now before the Government to rest on its own merits without exciting the passions of your readers with such meaning and patriotic expressions 'as oppression in the Mofussil,' 'liberty of British Subjects,' &c. &c.

I am, Sir, your obedient servant,
R. J. TAYLER, Judge.

Mirzapore, Oct. 28, 1841.

Englishman, Nov. 4]

Though we do not, in any measure, consider ourselves bound to republish, from the *Englishman*, Mr. Tayler's letter, relative to the judicial proceedings at Mirzapore, which have lately been commented upon by the Press, yet as we, in commenting upon this case, had no other object in view than the exposition of the truth, we are willing to pub-

lish any statements tending to throw the least light upon the real nature of the transaction. The presumption is that if Mr. Tayler were desirous that his letter should appear in the *Hurkaru*, he would have written to us, and not at us; but, as we are anxious, in every case, that the statements of a party assailed through our columns should receive the same publicity, as the accusations, we have transferred to our pages Mr. Tayler's letter, and sincerely with that it were a little more satisfactory than, in reality, it is. The two principal items of information, which this letter contains, are that there are many merchants at Mirzapore with larger establishments than Mr. Stewart's, and that "the object of Mr. Stewart's benevolence was no less a person than the well known Edward Bathurst." We cannot see that it is a matter of any consequence to the public, whether Mr. Bathurst was the party alluded to or not; or whether Mr. Bathurst is entitled to be called "the well known Edward Bathurst." The question is, whether the transaction between him and Mr. Stewart, which took place, before there had been any declaration of insolvency or any execution had been ordered, were not *bona fide* transactions; and whether the property seized by the Mirzapore Judge was not the lawful property of Mr. H. T. Stewart.

Mr. Tayler, having come to the resolution of making a sort of defence of his official conduct in the columns of the *Englishman*, would have done well, we think, to have gone through with it; but, as far as we can see, he has written a letter, which can in no way affect the opinions of the reader, in as much as regards the conduct pursued by him towards Mr. Stewart. A public functionary resorting to the press in self-vindication, does wisely in making out the best case, that he can—rather than not do this, it is expedient that he should hold his tongue altogether. In our opinion, Mr. Tayler would have done wisely in refraining from putting himself forward, *propria persona*, in the public journals. Had he furnished the *Englishman*, or ourselves, in a private form, with any statements of facts, tending to show that the accounts

of the transactions at Mirzapore, which have appeared in our respective journals, are not concordant with truth, he would have found us as ready to do him justice, as to endeavour to obtain it for Mr. Stewart. We have no other wish than to lay the truth and the whole truth fully before our readers; and we should be just as ready to embody in an editorial, any statements received privately from Mr. Tayler, the Mirzapore judge, as those, which we have received from Mr. Stewart, the Mirzapore merchant.

There is, however, one good thing in Mr. Tayler's letter. Though he has said but little in defence of his own official conduct, he has put forth statement, which we have read with pleasure, as showing that the Governor of Agra did not, as has been alleged, and as we have hitherto believed, dismiss Mr. Stewart's complaint, without first calling upon Mr. Tayler for an explanation. "The Government," writes Mr. Tayler, "called upon me for an explanation, which I gave, replying fully to each charge and supporting my assertions by the strongest documentary evidence." Mr. Tayler adds, and we suppose that what follows must be regarded as the pith of his letter. "If my statement had not been perfectly satisfactory, a further enquiry would have been instituted by the deputation of a Commissioner;" but we cannot consider this very conclusive, as regards the real merits of the case. We have no doubt that the Agra Government were satisfied of the right being on the side of the Judge, for we always considered Mr. Robertson to be too conscientious a man not to deal with every case brought before him, according to what he conceives to be its merits; but we cannot admit the inference that the explanation was satisfactory, because it satisfied the Agra Government. However, we shall be very glad to be satisfied: we have stated Mr. Stewart's case, as stated to us—it seems a strong one, but we really have not the least inclination to make it appear worse than it is, or to represent Mr. Tayler, as what he elegantly calls "a raw-head-and-bloody-bones" judge. We have no feeling of partisanship in the matter. —*Hurk. Nov. 5.*

PAUCITY OF PILOTS—CHANGE OF THE PILOT STATION.

To the Editor of the Bengal Hurkaru.

SIR,—As an important public organ, I would beg leave to call your attention to the very defective, and altogether inadequate, state of the Bengal Pilot Service, particularly as little notice is taken of the detention of vessels, for want of competent parties to carry them beyond the risks of the Hooghly.

A matter of such moment to the shipping and mercantile interests cannot be deemed superfluous, when the expence incurred by laden vessels remaining for eight, ten and twelve days, for want of Pilots, is taken into consideration, and the more so, since that establishment yields a large amount to the revenue.

What renders the matter still worse, some of those very vessels, which have recently been detained in port, were precisely in the same predicament on arrival at the Sand-Heads.

Any proposition, which could remotely tend to correct such a disgraceful state of things, must be acceptable; and that which promises the most speedy efficiency ought to be preferred: I, therefore, beg leave to suggest what appears to be the most available and eligible course under the pressing demand; and, as the most speedy way to provide for the deaths and casualties, the limited number recently brought forward, and the increasing necessity for more, owing to the extension of commerce and cultivation. The Marine Board, with whom this matter rests, cannot, in my opinion, be too severely censured for the apathy displayed; and, I trust, they will endeavour to rectify the serious error and embarrassment in question, by resorting to such measures as may supply the great void in this important public establishment.

When such a service remains under the government of parties indifferent to public and private interests, and property and life are alike sacrificed, it is time to agitate and call on the merchants and commanders who frequent the port—the first port East of the Cape—to summon public meetings, in order that the matter may be investigated, and the mischiefs, which now so seriously operate counteracted. The proposal which I have to submit is this,—that healthy young seamen be selected, versed in nautical matters, intelligent, and possessing a thorough know-

ledge of seamanship; and that they be appointed to institute surveys in boats suited for the river, so as to more actively acquire practical knowledge of the varied passages, &c. and that they aid the more experienced pilots as probationers, in order that they may become more early qualified to undertake the responsibility of personal charges, which they might easily be competent to do in the course of twelve months.

By introducing such a class of men, the service would be rendered more efficient, for some of the pilots are notoriously destitute of information, and awkward in the management of ships; and, therefore, would require to be encouraged, by having the rank of mate assigned them, as soon as the probationary servitude might expire.

Yours obediently.

C. J.

Hurk. Nov. 3.]

The evils of the existing inefficiency of the Pilot establishment are of so serious a nature, and are so palpably felt every day, that, we understand a requisition for a meeting of the mercantile community and other parties interested in this important matter, has already been put in circulation, and that a large gathering of the principal representatives of the commercial interests of Calcutta, is expected on an early day, at the Chamber of Commerce.

A correspondent, whose letter will be found in another place, after recommending that such a course should be adopted, proceeds to indicate the tenor of the Memorial, which should be addressed to Government. We think that his proposition is a sensible one; but he is in error when he attributes blame to the Marine Board, for the present inefficient state of the Pilot Service. The Board is blameless in this instance; for, conscious of the inadequacy of the service to meet the increased demand, which the enhanced state of commerce, and the increase in the number of ships resorting to this port, must make upon it, they, not having the power to appoint pilots in this country, and fearing that most disastrous consequences might result, to the shipping coming to the port, before a sufficient number of volunteers could be sent out from England, and be qualified for the service, represented the state of affairs, in due

course, to the Court of Directors, earnestly praying, at the same time, that a sufficient number of pilots might be appointed to meet the wants of the port; and that, in order to meet the present exigency, and remove all just cause of complaint as soon as possible, they might be permitted to fill up vacancies in this country. The Court, however, ever jealous of its patronage, have not thought fit to grant this request; and hence have resulted the recent change in the pilot station, and the inconvenience and danger experienced by ships resorting to the port.

In spite of the refusal of the Home authorities to attend to the suggestions of the Marine Board, we are not without a hope, that a demonstration on the part of the mercantile and nautical community of Calcutta, backed, as we are sure it will be, by the urgent recommendation of the Supreme Government, will make a due expression on the magnates of Lenden-hall-street. For our own parts, we think that the Company's pilot establishment should have been abolished with the Company's trading charter—at all events that the one monopoly should not have survived the other, out of which it arose. But, be this as it may, the present state of things is monstrous. If the government will compel the port to depend upon its pilot establishment, in the name of all that is just and reasonable, let the establishment be an efficient one. The least that the Government should do in such a case is to provide for the wants, which it creates.—*Hurk. Nov. 3.*

There is no necessity to insist upon what every one now admits to be correct, namely, the total inefficiency of the Pilot Service, in point of numbers, to perform the work required from them during the most active seasons in our port. It is equally needless to observe that the only effectual remedy for this deficiency is in the hands of the Court of Directors—for they still retain most pertinaciously the patronage they possess of appointing the Pilots from home, and they have not yet thought it fitting to listen approvingly to the representations which have been made by our Master Attendant and the local Government. Under these circumstances, it became the duty of those upon whom the regulation of the Pilot Station immediately depends, to use every possible effort to render the present strength of Pilots as efficient as possible.

To effect this it was considered desirable to bring the Pilot Station during the S.W. monsoon as near as possible to the port, for

the palpable reason that Pilots could sooner return thither from Calcutta, and consequently the necessary absence of any be curtailed in duration.

This is such a desideratum that in 1840, when the Station was proposed to be removed from Point Palmiras to False Point, the Branch and Master Pilots remonstrated against the change, one of their grounds of opposition being that, it increased the distance about forty miles to the South West, and that, instead of effecting that great object, confining the duties of the service within the narrowest possible range, it extended the sphere of their operations, rendering the service, as they said, even more inefficient than it was acknowledged to be.

To this opinion we do not see that it is possible to demur, and the only question then remains, which is the nearest safe station to the Sand-heads for the Pilots to rendezvous? And the Memorial of the Pilots themselves to which we have referred, and it must be admitted they are the best authorities, suggested the one which has now been fixed upon. It stated that many Commanders of Ships had proposed to the Court of Directors that the station, during the South West monsoon, should be off the tail of the western Reef in eighteen or twenty fathoms water, and the Pilots added emphatically, "on mature deliberation we beg to state our undivided opinion of its decided preference." The reasonableness of this preference was strengthened by the further facility such station would give to taking Pilots from on board outward-bound ships.

In considering this opinion, it must not be overlooked that it was given by men whose convenience and leisure would be much promoted by its adoption; however, we believe they did not conceal, but justly claimed that such convenience should be considered, even if the station were only as good as any other, whereas as they went beyond this, and said that it is the most preferable, and it cannot for a moment be suspected that they (forty-six in number) would recommend the lives and property of others to be jeopardized to save themselves a little trouble.

Again, we have heard, that a very worthy authority was opposed to this station off the Western Sea Reef, and that he only has given in his assent now, from a conviction that the present number of competent Pilots is totally inadequate to meet the demands which will be made for them during the South West Monsoon. That opinion, against the new station, we hear, is founded upon the

deficient seamanship, imperfect chronometers, &c. that are too often to be found in the vessels frequenting our port. This, we incline to think is a valid reason for not establishing the station where proposed; and as we have heard from very old officers, that there would be no more danger to the ships provided they had efficient, honest Captains, we really do not see that Government are to subject these to delay and loss merely because some vessels may have been imprudently intrusted to the direction of those who are either incompetent or dishonest. From these considerations we are confirmed in our opinion that, under existing circumstances, the change of Station is most judicious, and that it is only doubtful whether it is not the best to adopt permanently.

Admitting, however, that even a doubt exists as to the comparative safety of the two Pilot Stations, and having the certainty that our Pilot force is too weak, no terms too strong can be employed condemnatory of the supineness and neglect of the Court of Directors in not providing an additional supply of Pilots. If there were any division of opinion—if the whole Mercantile Service, the Pilot themselves, the Master Attendant, the Marine Board, and the Supreme Government did not all concur in the remonstrance, there might be some excuse for the home authorities; but they do all agree—they have one and all represented the truth again and again—yet no remedial measures have been adopted. We fear this indifference will continue until it has been productive of fatal results—and that these did not occur during the last South West monsoon is a source of wonder, and a cause for thankfulness, since we find it to be a positive truth that out of 338 vessels boarded between the middle of March and the end of August last, only half could be supplied with Pilots, and that nearly the whole of the other moiety did not obtain them until off the Floating Light, whilst 18 did not get any, but had to follow a Pilot vessel. These are facts to the truth of which we pledge ourselves, and we could mention many others which only make us wonder that the Commercial and Shipping Interests, the Insurance Companies, and the Agents for Lloyd's, do not rise, as one man, with indignant remonstrance to the home authorities, and, if that proves unsuccessful, to Parliament. It is too bad—too inexcusable—to permit a word of defence to be suggested.—*Calcutta Courier*, Nov. 4.

We insert in our correspondence column a letter signed, B, on the Pilot Service, and the late instructions that have been issued by

the Marine Board. It has been stated to us privately that we were in error in many respects in the article we wrote last week. We confess it did not satisfy us that we were wrong, and what we have subsequently read in other papers, has convinced us that we at least did well in calling attention to the new arrangements. Our correspondent B, alludes to the increase in the shipping. This we dwelt strongly upon 'long, long ago,' in the *Eastern Star*, and we showed how the Pilot Service had been falling off instead of advancing in efficiency for the last twenty years. We are truly happy to find that this important subject is beginning to fasten itself on public attention, and if our contemporaries will fairly seize on every opportunity to urge a great public grievance on the attention of the Government, it is impossible but that ere long a remedy will be found. We have it in our power to amplify on the point of increase in our Shipping, upon which, as we have said, our correspondent B. has touched. The following will show the numerical addition to the Shipping of this port during the last years: Arrivals. Departures. Total.

1838..	.....436.....	440.....	876
1839..	.....516.....	527.....	1043
1840..	.....592.....	589.....	1181

This year the increase has continued. The following is the result up to October, in the years 1840 and 1841:—

1840....	..424	439	867
1841....	..533	490	1023

Increase during	109	57	166
10 months ..			

For the past month the account stands as follows:—

Oct.	Arrivals	Departures.	Total.
1840..	....72....	....63....	..125
1841..	....58..	....74....	..132
Difference.	16	21	

When our readers observe this statement, and consider the effective strength of the Pilot Service, they will understand how it is that vessels are kept at sea, and in the river, because there are no Pilots to put on board. We emphatically repeat, what we have stated before, that we print no syllable on this subject, but under the sincere belief that it is one which in importance yields to none that can occupy the attention of our legislature, and with the earnest desire to call attention to it by an unexaggerated statement of real grievances, illustrated as unfortunately they sometimes are by fatal results, and al-

most daily by consequences that tell against the interests of the Shipping and Commercial interests. We fully believe that all in authority here are aware that the Pilot Service is (numerically) inefficient, and that matters cannot long continue on their present footing. Indeed, we know that representations have been made home to this effect, which have not been particularly well received. We confess we do not understand upon what principle local authorities legislate on matters of the first importance, which trench on the constitution and the sole authority of Parliament, and yet are delicate in meddling with a matter that is purely local, and can have no home interest, except with the court of Directors as a matter of patronage. Patronage! and what is it? Sending out occasionally boys to fit themselves for a service that is twenty years behind the wants of the community. Why, there is not a ship that is detained inward or outward-bound that is not a loss to them, looking at it simply as a question of revenue. We have urged upon Lord Auckland to make this 'a Government question' before he leaves the country. He will be with us at least three months more, and unless he is persuaded the Pilot Service is what it ought to be, let it be his incentive to moving in the matter that, unless he puts things in a train for amendment, they will remain in their present disgraceful state long after he has left our shores.—*Calcutta Star, November 4.*

To the Editor of the Bengal Hurkara.

Sir,—The whole press appears to be up in arms on the subject of the promulgated change of station for the pilots during the next S. W. Monsoon; but although here and there appears a glimmering of the true question, it is so obscured by extraneous matter, that it is lost sight of. The Marine Board declare that, in consequence of its having been found impracticable, during the last S. W. Monsoon, to supply pilots at the distant stations of Point Palmyras, owing to the increasing resort of shipping to the port, a new Station has been selected for the next S. W. Monsoon, assuming it to be true that there are not pilots enough to supply vessels at the distant Station of Point Palmyras, the simple question is—can any better mode be adopted to remedy the evil than that referred to in the notice?

To this point I do not see that any one has addressed himself.

I hear, on good authority, that during the last S. W. Monsoon, between the 15th March and 31st August, 338 Vessels made the Station at Point Palmyras; that only 50 received pilots there, the remaining 188 being obli-

ged, after cruising about the stations for days to pass over to the mouth of the Channel, where of course there was no regular provision for their supply; and where they had again to wait; and sometimes they passed up to Kedgeree without a pilot, seven having been on one occasion so led into Kedgeree by a pilot Vessel.

It is hence clear that there are not pilots enough to supply the increasing Shipping during S. W. Monsoon at a station so distant as point Palmyras; and it appears to me, therefore, that the proposed change resolves itself into adopting for the next S. W. Monsoon that which was matter of necessity during the last, (and will be so again) and remedying the evil arising from the non-provision of pilots at the spot to which vessels were, and will again be, necessarily driven.

Is any person prepared to propose a better remedy? for unless that is done, all objection raised against that promulgated, is useless. It appears to have been selected as a matter of temporary necessity, not choice. But as to the station itself it is a matter of notoriety with those who have had their attention directed to the subject, that this very station has been from time to time, whenever the question of Pilot Station has been mooted, advocated as the best for the S. W. Monsoon, by successive branch and other pilots, as also experienced Commanders frequenting the Port.

The object of my addressing you is merely to suggest the expediency of keeping to the real question, and, therefore, I refrain from remarking on the various irrelevant observations (irrelevant to the real question) which have appeared on the subject, which real question I repeat is, can any better remedy be applied than that now promulgated? and even that question, as it appears to me, can only bear on the following S. W. Monsoon, because the change for the next will assuredly have been already notified at home, in order that vessels leaving Europe in December, &c., may be apprized of the change.

Yours,

B.

3d Nov. 1841.

Hurk. Nov. 4.]

In our correspondential columns, we publish a sensible letter, on the subject of the intended change in the pilot station, to which we would particularly direct the attention of those who blame the Marine Board for having adopted the measure. An article on the subject, was recently put forth, in a rather pompous manner, by a morning

cotemporary, a portion of which, taken *per se*, is well enough; but we are of opinion that it would rather puzzle him to show, that, under existing circumstances, the arrangements are not as good as could be made. Not, perhaps, thinking it worth his while to enquire, he appears to be ignorant of the fact, which he might easily have ascertained, that effectual means are to be taken to circulate the information as widely as possible, by supplying a copy of the advertisement published by the Board, respecting the change of station, to every ship leaving any Indian port, and the most strenuous exertions are to be made, to do the same in every port in Europe, as far as possible, so that very few vessels, indeed, will have to look out for the *one* pilot vessel which will be stationed off False Point, to direct those that might, unfortunately have sailed without seeing any notice of the change of station, to the site where the pilot vessels are to be located. As for looking out for vessels, which our cotemporary says was the wont of pilots in former days, we have never heard, that in the days of our fathers, grand fathers or great grand fathers even, pilots were accustomed to go in search of vessels beyond certain defined bounds, pilot vessels will still be on the alert, to seek and supply vessels with pilots, and if those bounds are generally made known, it will be just as easy for vessels to direct their course to the intended cruising ground, as to existing one. Surely our cotemporary would not have the pilots dispersed over the whole Bay of Bengal, or the look out for inward bound vessels. He talks idly when he says that, under the new arrangements, vessels are to run down sixty miles to leeward of the old cruising ground, and have a lee shore in case of accidents, because they are sixty miles in the right track! Moreover, if he will look at the map again, he will find, that the new station is a little to windward of the spot where outward bound vessels usually leave their pilots and stand to sea, without apprehending any great danger either from a lee shore or cross currents, and experienced pilots, and many commanders of ships, far from agreeing with our cotemporary have recommended it as a preferable station to that off Point Palmyras, where, indeed in case of an Easterly or South-East-ly gale, they would have a lee shore to provide against; and, not being enabled to put to sea would have to depend on their ground tackle for their safety; and if these parted their destruction must inevitably ensue. Where as from the new station, if they have their pilots on board, they could run into the river at once; and if they had not procured

pilots, there would be no obstacle in the way to prevent their standing out to sea again. By our correspondent B's letter, our cotemporary will find, that during the late monsoon, one half the vessels were supplied with pilots at the intended station, or came into the river without any Pilot, not having found any at the old one. Our cotemporary is also mistaken in saying, that ships coming in have the sight of the land as a guide to the old station. This is not correct, for after leaving False Point Light House, land is lost sight of, and a ship with or without a pilot, as we have shown, will not be in so dangerous a predicament at the intended station, as at the old one, encumbered as she would be there, with the Palmyra reef, if caught in an Easterly-gale. The intended station has been chosen, as a matter of necessity, in order to render the supply of pilots adequate to the demand, by shortening the pilotage distance along the whole line. The locality preferred by the Marine Board as a Pilot Station was False Point,—which every body who knows anything about the matter, must acknowledge to be, by far the best spot that could be selected for the purpose,—as ships could here be supplied with pilots, the moment they made the land, and would easily be aided, even at night, to the spot, by the light on shore. To keep up an adequate supply of pilots at that distant spot, however, a large augmentation to the service was absolutely necessary, and this, as we have before stated, the Court of Directors would not sanction; and the Court have, in thus refusing to comply with the requisition made by the Board, evinced a most reprehensible apathy towards the commercial and nautical interests in general. They have now promised, we understand, to increase the number of pilots to one hundred and forty, but the volunteers, when they come, will take four years at least to become qualified to take charge of vessels; and as it is admitted by every body that there are not at present pilots sufficient to supply the inward-bound ships with, at the distant stations of False Point, Point Palmyras, our cotemporary will be doing a great public good, by suggesting a better arrangement than the adopted by the Marine Board.—*Hark. Nov. 4.*

In noticing yesterday the letter of our correspondent B in a general way, we said that "it had been stated to us privately that we were in error in the article we wrote last week." We now take up our misapprehension to the letter of B and to the suggestions,

written and verbal, which have reached us on the subject. Right or wrong, we shall always consider that we have done well to bring the question so prominently before the public. A matter involving such fearful risks to life and property cannot be too strictly scrutinised in all its bearings. We shall then reply now to B. and to our other private correspondents.

We must begin by advising one of them that he has no right to assume the dictatorial tone which he takes, in telling us that our nautical informant "strings together a set of nautical truisms apparent to every Cabin boy." Epithets and contemptuous phrases are not arguments; and if our former article is based on truisms it is then *true*.

B. Assumes that no writer has addressed himself to the true gist of the question. Now we affirm that we have done so, and that any one may see it. The true question is the *SAFETY* of the shipping; and in pointing out that this is jeopardised by the new arrangements whatever may be the necessity of them, we affirm that we have taken up the question on its true grounds. We add moreover, that the safety is to be considered before the convenience, and in this we suppose every merchant and seaman and man of humanity will agree with us.

Now B. informs us, by way of proving the want of Pilots and Pilot Vessels, which no one doubts, that 168 vessels passed over to the new station last season; and several up to Kedgeree without Pilots. The amount of this is that 168 vessels ran into danger, and a certain number ventured even to risk their insurance for the sake of getting in. Observe that this does not prove the new station to be either good, bad, or indifferent.

B. says that, as there are not Pilots enough to supply the shipping, the Marine Board, now, does for the next S. W. Monsoon that which the ships were driven to do from necessity during the last. If he had seen the *Oriental Observer*, he would have found this answered beforehand. The Marine Board's remedy for want of Pilots is to put the Pilots farther out of the way. At this rate when the Pilot establishment becomes more inefficient the station will be worse in Sagur Roads or at Kedgeree? says our weekly brother; and this we inform B. points exactly to what we have said, above, that the *SAFETY* of the Shipping is the true question. Let us say that we have a ample supply of Pilot Vessels, with 16 Brigs and 100 officers of all grades? The old and safe station would have been of

course kept. Say now that we have five Brigs and 50 officers? Put them off the tails of the reefs says the Marine Board; though it is not *quite* the best plan. Next if we have three vessels? Put them at Kedgeree Two; Diamond Harbour. One; Budge Budge? Is not that the system which B. recommends when he says that "we must do the best we can with the means we have" for here is the Marine Board setting the trade to cruise on the tails of the reefs in the S. W. Monsoon *because* of the deficiency of Pilots! We say on the contrary "if we have but one Pilot vessel, place her, first, where she can lie longest, and thus offer the most chances of supplying pilots, and next where the trade will be *safest* while waiting for their pilots, since wait they must. Which goes to the gist of the question, the *SAFETY*? B. or ourselves? One of our correspondents indeed fully allows that the new station is *not* the best and says that False Point is the best cruising ground.* This plainly proves our case. The Marine Board has *not* then taken the best spot, but that which lightens the duties of the Pilot Service by throwing more risk on the trade of the port; the substitution of an unknown amount of danger for a known amount of inconvenience. If the merchants and underwriters chose to make this bargain well and good; "upon their heads be it." We beg them, however, to note carefully that all the accidents which have happened of late years have happened through the adoption of the very plan which the Marine Board is now forcing on the public; standing in towards and amongst the reefs to look for a Pilot.†

B. informs us that the new station has been recommended by Branch Pilots and Commanders—as the best for the S. W. Monsoon! When we know the questions put to the Branch Pilots we shall be glad to disavow their reply. As to the Commanders, as we do not know what commanders have been consulted we cannot also remark upon their opinion. We suggest that the Commander of a crack frigate-built, well manned fond and officered passenger ship may not think himself exposed to so much risk as the undermanned heavy sailing ill-officerd and ill-found Liverpool, Bristol or Glasgow trader; as indeed he is not. We say, take the opinions of independent men of country ship and Europe Commanders; men who have at least frequented the port foreign or ton trips,

* And this we find repeated in the *Harkara*.

† We do not advert here to the losses of the *Duchess* and *Gibraltar* which were never, to our thinking satisfactorily accounted for, and were apt instances of vessel standing in to look for pilots, but of gross ignorance of the vessel's true place.

at the least and see what they will say. Take it also with reference to the true gist of the question SAFETY : Safety be for all things : Safety for those who really require the best assistance ; and our chair to a rope yarn that B. will hear another tale.

We must break off here for to-day, for we find we cannot compress what we have to say within the space we can command. Our brother of the *Hurkaru* shall be duly attended to in our next article. — *Calcutta Star*, November 6.

We continue to-day our remarks on the letter of B. on the subject of the new Pilot Station. We shall also endeavour to reply briefly to our brother of the *Hurkaru*, and *en passant* to some of our own correspondents remarks.

B. concludes with insisting that the real question is, "can any better remedy be applied than that now promulgated," and observes that this can only bear on the next S. W. Monsoon, the change having been notified at home." We have already said that the real question is the Safety, and it is a strange argument to say, (for B. seems one writing by some authority) "propose a better, but even if you do it can't be adopted." The *Oriental Observer* very properly complained of this sort of stealing a march on the public, by notifying in the first instance, so great a change as a settled and irrevocable matter, as if most of the ships belonged to Government as in the olden times. We must say, that the "decree" of the Marine Board much more resembles, a Napoleon edict than any thing we have of late seen. We have already said that what would have far better would have been to have kept the true principle of SAFETY in view but we shall suggest a change or two before we conclude, to show our friend B. that it is quite possible to do more, even with the present means than he seems to suspect.

We reply now to such of the *Hurkaru's* remarks as are not answered in our foregoing article. *Hurkaru* says, that the change having been duly notified in Europe ; very few vessels will have to look for the Guide-vessel off False Point ! Has the Marine Board then bargained with old Eolus for the weather ? or how, in the name of common sense, does all the notifying in the world enable ships coming in upon False Point in the thick heavy-blowing rainy weather of the S. W. Monsoon to find her ? and if for example, she has been blown off her station. How then ? The vessels coming in must, as we said, cruise

close in on the Point, and if caught in an Easterly gale, they are then, as we said, in danger.

We tell *Hurkaru* that the Pilots *did* in former days look out for vessels, and those times were when, as we are told the Pilots *were not wholly paid by the month*. We shall advert again to this. We have not talked the nonsense which *Hurkaru* accuses us, of whom he says, that we assert vessels are to run down 60 miles, &c., "because" quoth he, "they are 60 miles in the right track" and again "Moreover if the writer in the *Star* will look at the map again, he will find that the new station is a little to windward of the spot where outward-bound vessels usually leave their pilots and stand to sea, without apprehending any great danger for a lee shore or cross currents.

We beg our readers to understand that this last is the very novel reason given by the *Hurkaru* for the safety of the new station ! He first says that the ships are 60 miles in the right track. This assumes all that is contended for, which is the great risk of ships running down this right track, in bad weather, getting into danger in doing so. If *Hurkaru*, and the correspondents who have adverted to this, will draw upon the chart a curved line from the tail of the Piply Sand round the head of the Brace and the Western and Eastern Sea reefs to the Light Vessel, and measure it, they will see that they have there about 50 miles of lee shore more or less dangerous according to the wind and tide.

Now this line of danger every ship must approach and cross, and as we said before every ship which does so without a pilot is, where she ought not to be. An ill-manned heavy-sailing, badly-found vessel may frequently, in an hour's time, be hustled into extreme peril herabouts, and so may the smartest Frigate under certain circumstances. We wish to speak with respect of the opinions of every man, but in truth it is sheer nonsense to say "Oh the station is only a little to windward of the spot whence all ships put to sea, &c." as a proof of its being a proper one. First because ships are not taken (or sent) to sea in unsafe weather ; next because every hour's sailing sets them farther out of danger ; and thirdly because the spot from whence they stand is to leeward, and therefore on the safe side of our line of danger ; and the track which the inward-bound trade must follow is to windward, and therefore on the unsafe side of. That is we hope a truism apparent to any cabin boy ?

Barbara talks of Easterly or South Easterly gales. We inform him that Easterly gales rarely last long, and that no gales we believe begin at South East gale off the Points and Sand Heads, begin at N. W. North N. E. or East; veering to S. W. or S. E. and then moderating. We should be much obliged by any record of a gale beginning at S. E. for it would be we fancy a phenomenon. The Easterly gales, which are the dangerous ones for the Point station, give plenty of warning; and we believe there is no instance of a pilot vessel being lost in them; they soon moderate compared with those which begin at N. E. or N. W.

Let us not forget in this discussion, for this is to our thinking, the essential part of it that while there are classes of vessels—the crack ships of the port—quite able to take care of themselves, is a large proportion which from various circumstances do so but imperfectly, down to those which we may call the helpless class. These last are those to be first considered, for they have lives and property on board as well as the first. Now we assert that with some of these craft the mere splitting of a tow-sail in a squall might be the means of placing them in much jeopardy near our *line of danger* and under some circumstances

But the change is mail-a-l with-out, as we contend, any proper reference to the parties most interested and then we are told 'point out something better though it cannot be adopted now' which is a droll sort of encouragement to do so. As hints then for we will not go into details, we say keep to the old station, or even take that at False Point unless the merchants and underwriters, choose to exchange a known amount of inconvenience against an unknown amount of danger.

Again! alter the Pilot Service so as to make it one in which, as in olden times, the active, sober and careful Pilot, may openly reap the fair reward of these professional virtues. If we understand it rightly now it is a 'paid-by-the-mouth' service, in which the good do a great part of the work of the bad and indifferent, and wear themselves out in doing it, with but little more compensation. When a fortune is to be made in a few years by a smart look out and a push for the work, as was we believe once the case, we shall have more efficiency. Our limits warn us to conclude, and as we fear to tire our readers we shall not return to the subject unless under particular circumstances. As public writers' our honest duty is done. Without attributing motives or ignorance, we have

sounded the alarm, where we believe there is danger. Let those who are interested look to it.—*Cal. Star., Nov. 8.*

We had thought that enough had been said to set at rest the question of the change of the Pilot Station for the next S. W. monsoon. The *Calcutta Star*, however, does not yet think so; but continues to deprecate the course, pursued, without proposing any other remedy against the admitted evil, viz., a paucity of pilots for the lengthened navigation between Calcutta and Point Palmyra.

Our correspondent B. had said, that it appeared to him that no one had addressed himself to the real question, which should be put somewhat thus. The following evil exists—there are not pilots enough to pilot the increased and encroaching number of vessels over the long distance from Point Palmyra, during the S. W. monsoon; the Marine Board have, therefore, resolved to apply a remedy to the evil, by shortening the pilotage distance, i. e. by removing the Pilot Stations to a spot nearer the river and heretofore recommended by commanders of vessels, and by branch and other pilots, as the preferable station in itself. The question, says B. is, "can any better remedy be applied than that now promulgated?"

To this *Star* replies, "We affirm, that we have addressed ourselves to the true gist of the question,"—and not venturing to gainsay the position assumed by B and ourselves—he says, the true question is, *THE SAFETY of the shipping*—Well, then, we say again, shew us that safety to the shipping can be better provided, during the next S. W. monsoon, *with the present number of pilots*, by any other course than that proposed by the Marine Board. This is equally plain with our former intimation, that "our cotemporary will be doing a great public good, by suggesting a better arrangement than that adopted by the Marine Board."

We have endeavoured to glean, if possible, what it is in reality that our cotemporary would wish to have done, to meet the evil next S. W. monsoon. Pilots cannot be made by that time; and either things must be allowed to remain as they were last monsoon, or some remedy, *of at all practicable*, must be applied. As far as we can judge, from the lengthened and really mystifying style adopted by our cotemporary on this occasion, it appears to us that he is disposed to allow things to remain as they were. If so, it is really a pity that he does not distinctly say so. At the commencement of his first article on this subject, he became hypercritical, and taxed the notification issued by the Board

with obscurity, when in our opinion, more existed; we, therefore, call upon our cotemporary to say, plainly and equivocally, what it is that he would wish should be done, *under existing circumstances* to provide in the best manner for the next S. W. monsoon.

The blame of the existing paucity of pilots to meet the increasing demands of the port, together with the best means of completing the proper number in the shortest space of time, forms one question, and a question deserving of serious discussion; but what shall be done during the S. W. monsoon, until that proper number is completed, is another question; and we repeat our call on our cotemporary to state what it is he considers best.

We must confess we are surprised altogether at the style as well as the illogical reasoning displayed on this occasion. It is well for our cotemporary that he is not always quite so unfortunate in conducting an argument.

First, having stated the true question to be the safety of the shipping, he adds, "and in pointing out that this is jeopardized by the new arrangements—WHATEVER MAY BE THE NECESSITY OF THEM*—we affirm that we have taken up the question on its true grounds!" Why, we thought the old adage of *necessitas non habet leges* was a universal acceptance. The position of our cotemporary might be fair and just, if applied to the question of blame for compromising the safety of the shipping by non-provision of a sufficient number of pilots, but, as applied to the present question, it is inconsequential, and in no way pertinent.

Next he says—"we add, moreover, that the safety is to be considered before the convenience," and then says, "and in this we suppose every merchant and seaman of humanity will agree with us." This is unbecoming the usual candour of our cotemporary. Before giving publicity to it, it should have pointed out when and how *convenience* is consulted in the present arrangement at the expence of *safety*. There are men, and men of ample judgement too, who hold that the safety of vessels is not compromised by the proposed temporary change; but *convenience* no where comes into the question at all.

Again, says our cotemporary—"when we know the question put to the *franch* Pilots, we shall be glad to discuss their reply," so that knowledge of the question is sufficient of itself to enable our cotemporary to discuss

the reply! Again, "as to the commanders, as we do not know what commanders have been consulted, we cannot also remark on their opinion. Here our cotemporary only seeks to know the names of the commanders to enable him to remark on their opinions! We have all along been of opinion that this was perfectly unnecessary, as the soundness, or otherwise, of the opinion, could be tested, without the names of the parties expressing them being known. Lastly, our cotemporary actually requires that the pilots shall make up for the inefficiencies of the undermanned, heavy-sailing ill-officered and ill found Liverpool, Bristol, or Glasgow traders." This is really rich! Because the Liverpool, Bristol and Glasgow merchants (according to our cotemporary) send their ships to sea in the above the pilots of Calcutta are to be taxed beyond what is required of them by properly manned and found vessels! Why, if because they are ill supplied the Pilot vessels were to go out of their way in search of them, the well-manned and found vessels would be searching, in vain, in the defined position, for pilots.

So much for our cotemporary's article of Saturday. That of yesterday is equally as bad. We have little to say in addition on it.

As to the Board "stealing a march" on the public, they did quite right. If they had done so, there would not have been time to notify the remedy in Europe.

The *Str* has fallen into a very common error, and, therefore, the more to be excused in supposing that there was a time when the pilots of Calcutta were paid according to their individual labor. Now this as we have ascertained, is not the case, and, therefore, all that comes from our cotemporary on that point, besides not bearing at all on the question at issue,—viz, why shall be now done to meet the existing evil during the next S. W. monsoon,—is of none effect in itself!

Now, suppose we admitted, which we do not that running the "60 miles in the right track," without a pilot, does risk vessels getting into danger; we still say, *what will you do with the present means to avoid it?* We cannot discover a line leading to this—the only true point at issue,—notwithstanding, that our cotemporary says, "but we shall suggest a change or two before we conclude, to shew our friend B. that it is quite possible to do more, even with the present means, than he seems to expect." We really did hope, on reading this, that our cotemporary would at least try to make good his

* The caps are out. — Ld

words; and for fear of misrepresenting him we here quote his suggested change or two:

"But the change is made and without, as we contend, any proper reference to the parties most interested, and then we are told 'point out something better though it cannot be adopted now' which is a diabolical sort of encouragement to do so. Ashirts then for we will not go into details, we say keep the old station, or even take that at False Point, unless the merchants and under writers choose to exchange a known amount of inconvenience against an unknown amount of danger

Again: after the Pilot Service so as to make it one in which as in olden times, the active, sober and careful pilot, may openly reap the fair reward of these professional virtues. If we understand it rightly now, it is a "paid by the month service, in which the good do a great part of the work of the bad and indifferent, and wear themselves out in doing it, with but little more compensation. When a fortune is to be made in a few years by a smart look out and a push for the work as was we believe once the case, we shall have more efficiency. Our limits warn us to conclude, and as we fear to tire our readers we shall not return to the subject unless under particular circumstances. As public writers our honest duty is done. Without attributing motives of ignorance, as we have sounded the alarm, where we believe there is danger. Let those who are interested look to it."

The first "change" or "hint is" keep the old station; "but it has already been shown that there are not pilots enough for this—"or even take that of False Point," "which is some distance further off!"

"Again," says our cotemporary, "alter the pilot service so as to make it one in which as in olden times, the active, sober and careful pilot, may openly reap the fair reward of those professional virtues." First this, if it could be done by next moon, could not remedy the evil—it could not possibly make *more pilots*, who alone are wanted to keep up the whole line. Next, there were never as we have before observed any such 'olden times.' The "olden times" mode of payment did not benefit any individual pilot, sober however active, however careful, more than his fellows. The system was this. The pilots individually had a small salary—the whole pilotage received was clubbed together, and divided into shares like prize money. The branch pilots had a certain number of shares, the masters another, and so on—so that no individual pilot benefitted by his individual exertions any more than a soldier benefits in prize money by extraordinary exertions in battle.

Now the above is the sum of what our cotemporary says is "to show our friend B that it is quite possible to do more even with the present means than he seems to expect." Really all facts, all arguments are thrown away on such writings, and we shall not waste our time again in exposing their folly, *Hulk. Nov. 3.*

IMPOUNDING OF STRAY CATTLE.

We yesterday published the draft of a proposed act, for, as our legislators tell us, consolidating and amending the laws relating to trespasses by cattle; but this is an impossibility, for as there are no laws extant, respecting this fertile source of extortions and riots, the proposed law cannot consolidate and amend a nonentity. It is, in fact, the first law ever proposed by our rulers in this country, in order to afford the cultivator of the soil, from whose hired earnings the principal revenue is derived the protection, which he has long solicited in vain, against the depredations of cattle, by which his crops have been laid waste and himself and family often reduced to a state of ruin and starvation. The proposed law, in as far as it goes, appears, *prima facie*, perfectly unobjectionable. But it does not proceed far enough. It makes no

provision whatever, in the case of cattle, the owners of which, finding that they had been devastating property to an amount above their value, deny them as their property, in the fear that the fine that would be imposed on them by the Magistrate, for the trespass, would far exceed the value of the cattle. It would be highly desirable if the party sustaining damage, were to be informed, in the act, how such cattle are to be dealt with, and what proportion of their valuation, would be awarded to them, in compensation for the damage they had sustained, in the event of no owner ultimately coming forward to claim them, as we opine that in such case the cattle would be sold. Nor does the proposed law state whether trespassing cattle, whose owners are known, are to be seized and detained, or committed to any lock-up or pound; or

whether they are merely to be driven off, the attention of witnesses directed to the fact of their having trespassed, and a complaint lodged before the Magistrate against their owner. If the latter method be required, it will be a total abnegation of justice, for in this country, where there is so much hara awareing constantly resorted to, it will be almost impossible to prove a case of trespass, particularly when the defendant happens to be a rich or powerful individual. We would suggest to our law-givers, the propriety of some provision being made, in the proposed law, for the disposal of cattle, whose owners cannot be found, which will, we have not the least doubt, on the passing of the act, be found to far out number those whose owners are identifiable. After the charge of trespass has been preferred before the magistrate, the intended law makes sufficient provision for the protection of the cultivator; but unless some mode of proceeding be defined, to be followed, after the commission of the trespass, and until the case is brought under the cognizance of the magistrate, the ends of justice will be defeated, from the intending prosecutor's want of knowledge of the mode of proceeding. We are not aware of the existence of a single pound in the Mofussil, authorized by law, and the practice respecting cattle found straying has, on the fiat of some magistrates, been, to capture and confine them for a given period, in a pen adjoining the principal thannah. If their owners appeared within the stated period, and claimed them, a heavy mulct was imposed by the darogah, principally for his own benefit; but if no person came forward to claim them, they were forwarded to the magistrate's cutcherry and sold, the main portion of their valuation being made over to the darogah, for their keep. But in some districts the darogahs were prohibited from receiving trespassing cattle, which had been captured by the parties whose property they had damaged, and in those districts it has not unfrequently happened, that, if the aggrieved parties have ventured to keep the cattle confined themselves, until they were claimed, a charge of theft has been preferred against them, and they have been committed to prison, or sent on the roads as felons. We would, therefore, to avoid these casualties, submit, for the consideration of Government, the propriety of including in the proposed act, a clause enjoining the establishment of a pound at each thannah, where all cattle caught trespassing, should be locked up the pound-keeper being allowed a given sum per head of each description of cattle that might be impounded, until they are either sold, by an order from the magistrate, at the expiration of a given period, or their owners

are identified, and proceeded against, according to law. As the law stands at present it is defective, and not calculated to give general satisfaction, no provision being made in it, for compensating the party injured by the depredations of cattle whose owners are not discovered, though the cattle themselves may be caught in the act of trespassing; for if unowned cattle are permitted to commit depredations with impunity,—which the proposed law does not say they shall not,—the owners of trespassing cattle will seldom be forthcoming.—*Hark. Nov. 6.*

We omitted, last week, to notice a draft act, promulgated by our Indian legislators, respecting trespasses committed by cattle, a subject which has hitherto been wholly disregarded by our law-givers, though it has involved the most serious consequences to the lives and property of the lieges. A more prolific source of disturbances and oppression, than that of trespassing cattle, it would be difficult to point out, in this country, and we should have thought that some attempt, would have been made, in drawing the law to put an end to these annoyances; but such is not the case. The law, as it has been published, will afford the poor cultivator of the soil no redress whatever, for the grievances he has hitherto been suffering, from the depredations of stray cattle. When the ryot has been induced to incur heavy expenses, and much trouble, to take his suit into court, the intended law will, perhaps, afford him redress for the injuries he may have suffered; though even this seems doubtful to us, when we take into consideration the circumstance that a host of false witnesses may be brought in array against him, to disprove his allegations before the magistrate. But what is he to do before he goes into court. No rule of procedure whatever is laid down by the law, for the guidance of the injured party, from the moment the injury is inflicted, until he has brought the case before the magistrate. Shall he be permitted to seize and retain the cattle, until he can prefer his complaint before the magistrate, as is now done in some districts? If so, what is to prevent his being forcibly dispossessed of them, and the means of establishing the trespass thus greatly reduced, when the owner of the animals happens to be a rich or powerful individual. Or, in the absence of any law authorising such detention by the injured party, what is to prevent the owner of the cattle from prosecuting him criminally, for unlawfully possessing and detaining them? If, on the contrary, the injured individual be not permitted to seize the cattle, and produce them in substantiation of

his allegation respecting the commission of the trespass, not one poor man out of ten thousand will obtain compensation for the damage he may sustain, for the owner of the trespassing cattle will seldom lack the means of proving an alibi in their favor. In order to make the law efficacious, a clause should be introduced, authorising the capture of all cattle seen injuring crops, and pounds should be established by law, in a central part of every inhabited area of eight or ten square miles, which to deposit the captured cattle, whether their owners be known or not,—otherwise but few cases will be sent up for adjudication, and the law will virtually become a nullity. The utmost amount of injury that the ryot can in general suffer, from the depredations of eight or ten oxen, before they are detected, would be about twenty rupees. If he were to seek redress for this injury, in the magistrates' Court, according to the intended law, it would cost him in legitimate expenses, nearly the amount of the damage he had sustained, and twice that sum to meet the exactions of the Court officers, before he could obtain access to the huzzoor. We will suppose he wins his cause, and the party he has sued is a rich man, and pays the full amount of the greatest penalty—two hundred rupees. It is not to be expected that the magistrate will award the injured party a larger portion of this fine than he thinks will cover the amount of damage, and the court and travelling expenses. The seeker of redress will, therefore, leave the court poorer by double the amount that he had lost by the depredations of the cattle; and in the event of the individual sued being unable to pay the fine, and being committed to jail, the prosecutor will lose four times the amount of his original loss. Under these circumstances, we opine, there will be but few suitors claiming compensation for damages done by trespassing cattle. Justice, to be efficacious in India, must be rendered as cheap of obtainment as possible. With reference to the poverty of the people, it is infinitely dear, and, therefore, not sought for so often as the good order of society demands. It is the duty of the press, to point out how the lieges might be benefitted, and we, therefore, proceed to offer to our Legislators such suggestions as we think calculated, if adopted, to render the intended law as efficacious as it can be, under existing circumstances. We would, then, as we have said, recommend the establishment of a pound in an area of every ten miles, for the reception of cattle caught in the act of destroying crops, the expense of maintain-

ing which should be defrayed by a given sum being levied on the animals impounded, before they were delivered to their owners, or to be deducted from their produce, when sold, if no owners were forthcoming. To these pounds we would insist on all captured cattle being conveyed, rendering any parties detaining them in their own premises, liable to a criminal prosecution for cattle stealing. We would enjoin the retention of captured cattle in the pounds for a given period,—say a week or a fortnight,—to enable their owners to claim them; after which they should be sent to the Magistrate's catchery, to be sold immediately, by some trust-worthy officer, with a statement of the amount of the pound keepers claim, and the demand for damages, and on the sale producing less than both claims collectively, the expenses of poundage to be paid in full, and the balance to be paid to the injured party, who should be furnished with the pound-keeper's receipt for the cattle, to prove his identity when applying for compensation. We would have a *trust-worthy* officer deputed once a week, or once a fortnight, to visit these pounds, and entertain trespass cases, in which the owners have been identified, referring to the Magistrate—who has already more than enough to do—only such cases as were very doubtful, and in such cases permitting the complaining party, if so disposed, to compromise the case, on paying the poundage. We would not allow any appeal from the decision of the visiting officer, beyond the magistrate, and, perhaps, the best visiting officer would be an European constable. We would render it imperative on the pound keeper to release cattle, on sufficient bail being offered by their owners to make good any fine that might be imposed, so that no unnecessary expense may be incurred. These are hints hurriedly thrown out, but we have no doubt, that if they were acted on, the desired redress would be offered to the cultivator of the soil, without much expense being incurred by the Government. The draft act, as it stands, but strengthens the hands of the oppressors, and is calculated to benefit only the rich and powerful.—*Herald*, Nov. 4.

It is now two years since the late Superintendent of Police brought to the notice of the public authorities the subject of trespass by cattle, one of the most common transgressions in this country, where no enclosures exist, and trespass of every kind is a national vice. He stated that in the absence of any law on the subject, the community had been obliged to

make a law for itself, and that the remedy which had been adapted, as a matter of necessity, differed in every district, and in some cases ran counter to the positive regulations of Government. On the 1st November last, the draft of an "Act for consolidating and amending the Laws relating to trespass by Cattle," was read for the first time in the Legislative Council. We are sorry to say that it has failed to give satisfaction either to the Native or to the European community.

The objections of the Natives to this new enactment, we have not yet been enabled to learn with sufficient accuracy. But on turning to the Code of Gentoo Laws we find that the simple, and naked enactments of our new law, present so strong a contrast to the delicate discriminations of the Hindoo law, that the dissatisfaction of those who regard their own legal institutions as the perfection of reason, and the foundation of all religious obligation, ceases to be a matter of surprise.

The contrast is indeed striking. The Hindoo law makes a nice distinction between the keeper and the owner of trespassing cattle; the Company's proposed law makes none. If, again, according to Hindoo law, the cow should pasture herself on another man's field during the day, the fine is six silver coins; if during the night, five only. The fine moreover is wisely graduated according to the animal which commits the trespass. Thus, if the foal of a mare, or of a camel, or of a cow, or of a buffalo, or of any other animal should transgress, the owner is condemned to pay *two* silver coins; if a goat or a sheep transgress, *four* silver coins; if the trespasser be a cow, *six*; if a camel, *twelve*; if a horse or a buffalo, *twenty*. The length of the trespass is also judiciously taken into the account, to regulate the extent of the fine. Thus, if any of the animals aforesaid should have remained *a long time without any disturbance on the field*, the Magistrate will double the fine. If they have slept the whole day or the whole night upon the ground, the fine is to be quadrupled. All these nice shades of distinction are wanting in the new enactment. The Legislative member of the Council is doubtless a Whig, and is therefore averse to any such *sliding scale*; and he has therefore imposed a fine which is fixed without reference to the genus of the animal, or the time, or duration, of the trespass. Neither does he appear to have any bowels of compassion for the poor

owner. In the Hindoo law, the owner is not negligent provided in the regulations, that if a cow having brought forth a calf, should, before the lapse of ten days from the time of calving, eat the crop upon the ground of any person, the owner and keeper of that cow shall be amenable to no fine. But that which must render the present act peculiarly obnoxious to every orthodox Hindoo is the glaring omission of that wise and equitable provision of Hindoo law: "If the Magistrate's elephant, or the Magistrate's horse should eat the crop upon the ground of any person, the owner and keeper thereof shall not be amenable to any punishment."

To the European portion of the community the Act presents many anomalies, and the conviction is general, that unless it be greatly modified before it becomes law, a new Act to amend an Act, for consolidating and amending the laws relating to trespass by Cattle" will soon be needed. The first objection is to its title, as exhibiting an unnecessary delicacy towards the defects of former legislatures. The fact is, that there never have been any laws on the subject, it is idle therefore to talk of amending that which has no existence. *Secondly*, the remedy is worse than the disease. The magistrate lives at too great a distance from the greater portion of his district, to render it advisable to send up to him from a distance of twenty, forty, and sixty miles a complaint of trespass, and a string of witnesses; or to submit to all the delays and obstructions in which a suit before the magistrate is exposed. Whenever we shall have Assistant Magistrates located in convenient circles, such a law may be of some effect; at present it must be almost inoperative. The punishment, moreover is excessive, when compared with the poverty of the transgressors. The mere chance that the full penalty of the law may be inflicted upon some poor wretch of a ryot, and expose his family to starvation, will defeat the operation of the Act, by rendering those who suffer, unwilling to prosecute. What the cultivator, the agriculturist, and the planter want is, not a vindictive penalty, but one which shall be just sufficient to deter from the commission of the crime. Some authority to impound trespassing cattle, and a slight fine to put the peasant on his guard against negligently or wilfully allowing them to damage the crops, would be far more efficacious than the cumbersome apparatus of justice which the present Act provides. *Friend of India, November 18.*

THE HON. BLAIR HONORABLE MEMBERS
AND MEMBERS OF THE LEGISLATIVE
COUNCIL OF INDIA.

My Lord and Honorable Sirs.—I presume, my Lord, that you will pardon the liberty of presenting this humble appeal on the part of an individual, in a narrow sphere of life, engaged in the humble avocation of a cultivator of the soil; which, however, is considered as eminently useful to the country at large, that it may be truly called the real source of national wealth and prosperity. My appeal is directed to a recent act, published by your Lordship in Council, for general information, relating to trespasses by cattle.

The act in question provides that all persons who negligently or wilfully shall allow cattle to damage any species of growing crop, shall, on complaint of any party injured, be liable, upon being convicted before any magistrate, to a fine not exceeding 200 rupees for every such offence. And the same act further empowers the magistrates to levy the same fine by distress of any property of the offender, and at their discretion to apply the amount in whole or any part thereof, as compensation to the injured party, or in case, the said fine is not recovered by the foregoing process, the offender is liable to be imprisoned for a period not exceeding two months.

The provision of the law in question, more particularly affecting the interests of that section of the community to which I have the honor to belong, I presume to trouble your Lordship with a statement of the following grievances, which are likely to arise from the proposed enactment, instead of any compensation being afforded for the damages to which we may be subjected by trespass by cattle, independently of the circumstances of a pound door being left open to the more powerful class for the exercise of extortion and various species of oppression against the poor and weak. The law, my Lord, is seemingly advantageous in its theoretical principles; but in its practical operation, it is likely to fall short of the expectations of the legislators. The damage committed by trespass of cattle, is one of a nature to last beyond the period of a few hours in a growing field, as its continuation is immediately prevented, either by the owner of the cattle or of the field. Thus the amount of damage can seldom exceed a rupee or two in every instance; and to recover the same the law provides that the injured party shall in the first place, travel for several miles to the station, in order to prefer his complaint before the magistrate; and then to procure a summons for appearance against the offender, and also subpoena for the wit-

ness. All this process is attended with both legitimate and illegitimate expenses. The latter items being uniformly heavier than the former, particularly in a country like this, and among a class of people like that of the cultivators, who are eminently known for their disposition to cheat and liability to be cheated.

The next part of the process has reference to the serving of summons and subpoenas, and lastly, to the necessity of re-attending the Court again, and passing through the ordeal of Justice; when, if the complainant proves a successful suitor, the amount of damages which he would recover could never, of course, in proportion to the loss occasioned by the trespass of cattle, compensate the sacrifice of money, time, and the harassing litigation which he is obliged to go through. In fact, it will be no inducement to a really injured party to undertake to prefer such suit while the law itself will place the means in the hands of the powerful, particularly the planters and zemindars, of manufacturing cases on real or alleged wrongs, for the purpose of obtaining other ends from the ryots than those which were ultimately intended by the law.

Such provision of the law would have been particularly suited to the people of this country, had they been similarly situated with the inhabitants of Great Britain, where every field is hedged, where pounding houses are established, constables appointed for the immediate redress of grievances, and where the whole process may be concluded within a few hours, while in India, the practice of hedging field, is entirely unknown. No common or grassing ground is specially provided for cattle. No pounding house, no constables are within convenient reach; where the seat of justice is generally remote from the arena of action; where the roads are comparatively bad and insecure, and a net of canals, and water courses overspreads the country, and in the absence of bridges to be crossed by boats, only procurable for hire; besides, the litigious character of the people, and where no stone is left unturned for the purpose of perverting the ends of justice. These are the disadvantages which militate against the introduction of a law, however beneficial in another country, and under dissimilar circumstances. It were, as I humbly submit, preferable far preferable to allow the people themselves to protect their own interests by the best means in their power, than to promulgate a law which would prove of no advantage to them for whose benefit it is intended; but, on the contrary, facilitate the means of op-

cession on the part of the more opulent class among them, more especially when there exists no counter penalty as a check against vexatious or harassing litigation.

My Lord, you may probably be disposed to enquire what may be the safest and most effectual remedy of the evils now brought under your Lordship's notice. I beg to submit that such remedy appears to me to be most simple in its nature, and equally easy in its application, provided your Lordship be inclined to carry the same into effect. If the police be reformed, the thanadars changed into deputy magistrates empowered to decide petty offences and selected from a less disreputable class of people—the jurisdiction be subdivided, the strength of the police be increased—or in other words, if justice be brought to the cottage door, in such a case the object alluded to, may be permanently and beneficially secured.

The next consideration, which will naturally arise is, from what source are the funds necessary for the execution of the above scheme to emanate. But I respectfully submit, that this query cannot be legitimately put to the natives of this country, ignorant as they are of the public receipts and expenditure; and when it is further considered that the state of the India Exchequer is to them as completely unknown as that of China or America. All the people can say is that every well regulated government, professing to discharge its duty is bound to afford security of life and property to its subjects, for which purpose the revenue of a country was originally assessed. Further I submit, that no consideration should deter a government from performing that sacred and responsible duty for which Providence has placed a country under its rule. I beseech your Lordship to reflect on the subject and relieve the country from misery and oppression by establishing a police on sound principle. The ministerial change in England, we understand, will shortly terminate your government, and I presume it would be a fitting opportunity for your Lordship to leave behind, a monument which the latest posterity will remember with affectionate gratitude. Let me close this appeal, my Lord bringing afresh to your recollection the words of a celebrated political writer of your country, that that 'government is secure which rests in the heart of the people.'

I have the honour, my Lord,

Your most obedient and humble servant,

A ROYAL

Barkur, Nov. 10.]

On considering the proposed law for preventing trespassing cattle, the question of it well timed to do justice to the party suggests itself to us; and we are enabled to answer, most undoubtedly that the measure is absolutely necessary to prevent the enactment from becoming a tyrannical law, bearing with grinding severity on the poorest classes of the community, who have no lands, but those on which their cattle rove and, by which to graze their cattle. The intended law itself is an abortion, wanting in every requisite that would make it afford the required protection to the cultivators of the soil; for though it has nothing very objectionable in its three brief clauses, it begins its operations only after the complaint has been lodged in the Magistrate's court, which may be situated perhaps fifty miles from the place where the trespass has been committed, which circumstance, per se, in the generality of cases, will offer a complete bar to the administration of justice. But let us, for the nonce, entertain the hypothesis that the contemplated law will afford all that is desiderated with respect to the punishment of the owners of trespassing cattle, and the affording of compensation to the party whose crops have been destroyed or injured. What, then, we ask, will the people do to procure provender for their cattle? The draft act says, that "all persons who negligently or wilfully shall allow cattle to damage any species of growing crop, shall on complaint of any party injured, be liable upon being convicted before any magistrate to a fine not exceeding two hundred rupees for every such offence." This will condemn those who have no lands whatever, on which to pasture the cattle, to keep them penned up for a crop of grass may be considered as a species of growing crop, and the turning of cattle loose into a field that has just been reaped, but in which the grass is springing up, may render a party amenable to the law for a trespass. It is not likely that the owners of such fields will generally be at the trouble of preferring complaints against persons whose cattle have been turned into them; but when the owner of the field and the proprietor of the cattle are at enmity, the latter may charge the former with a trespass, and have him punished. The law is open to the prosecution of such a suit, and should, therefore, be amended; but, previous to its amendment, some measure should be adopted, to prevent commons in every inhabited area of a given number of miles. The keep of the property of cattle in the possession of the poorest orders of the community, if they were penned up, would far exceed the income derived

them, and the proposed law, if enacted, would, therefore, force them to part with their cattle, and thus deprive them of the source from which they derive the means of subsistence. We hope that our legislators will pay more attention to the subject, than they seem to have done, and take more steps for the provision of commons, before they pass an act for the punishment of the owners of trespassing cattle, much as this last act is desiderated. The *Friend of India* thinks the punishment enjoined by the proposed law, for trespasses, is too severe, when compared with the poverty of the transgressors. We do not agree with our brother in opinion, for we think, that the possession of the power by the magistrate, or other competent authority, to inflict a heavy fine, is absolutely necessary to put a check to the practice of maliciously turning whole droves of cattle into a ryot's field, in order to ruin him by the destruction of his crops. The proposed law does not compel the magistrate to enforce the highest fine, but leaves him to adapt it, at his discretion, to the nature of the trespass, proportioning it according to the enormity of the offence; in this respect, we are of opinion, the proposed law is well framed. — *Herald, Nov. 24*

A late *Gazette* contains the Draft of an Act for amending the laws relative to trespasses of cattle, which want of space has, hitherto, prevented our noticing, although a subject of interest and importance to a large portion of our readers concerned in agricultural pursuits. In a country like India where fences are rare, and only used for crops of superior value; and where the property of individuals occupies an extensive and uninterrupted plain; a boundless source of loss, in less than of annoyance, is found in the straying of cattle, from the field of one individual to that of another—especially when, as is commonly the case in Bengal, it is used to turn in herds to feed off the stubble of the late rice crop, that are, naturally enough, tempted to quit the dry and profitless paddy for the more tempting green of an indigo field. And the difficulty of keeping clear of this, as a nuisance causing loss to the planter, becomes the greater from the fact that, there are periods of the year, when such a service as would be performed by the unattended passage of a herd, would prove a benefit instead of injury to the plant, a convenience of which the ryots seeing cattle allowed, and even sent by the planter at such times, are apt to plead this as an excuse against punishment for their trespass, when the doing so is really injurious. The Draft

does not declare that "all persons who, negligently or wilfully, shall allow cattle to damage any species of growing crop, shall, on complaint of any party injured, be liable, upon being convicted before any Magistrate, to a fine not exceeding two hundred rupees for every such offence." There are, we think, many objections to be made to this mode of providing for the case, and among the principal is, the necessity it involves of lodging a formal complaint before the Magistrate against the specific offending parties. Now it is very difficult to ascertain who are the actual parties to whom trespassing cattle belong. Some poor old woman, or other infirm person being generally pushed forward to bear the burden, as the ostensible offender, against whom it would appear like want of compassion, to proceed to extremities. Besides this, the necessity of sending all the parties—defendants, witnesses, the planter himself as plaintiff, to the Magistrate station, often a distance of thirty or forty miles—there to be detained for days, or it may be weeks, (nay possibly, months) awaiting time and opportunity for a hearing, would, in itself be a decided evil, to say nothing of the expense, I see, and inconvenience to all, but to the planter more particularly, from the absence of himself and servants, from their respective business. Again, the draft does not state, whether the cattle are to be in any way considered an evidence in the matter, if so, into whose charge are they to be given when found destroying a crop?—if not, are they to be left loose to repeat the trespass, or to be made away with, during the time occupied in lodging and proving the complaint, and thus the plaintiff, or the Government, be deprived of a legitimate and an available source of realizing the penalty, should it happen to be indicted?

The most extensive depredations in this way are made during the night, when large herds belonging to rich, and frequently powerful, individuals, are driven out for them to feed, and recalled before dawn reveals them to the owner of the field. The only persons concerned in the act being a few young boys or poor peasants, whose apprehension would be little avail, whilst the real offender—the proprietor—was kept on the back ground—or who would, perhaps, give a false name to the proprietor.

If, on the other hand, the seizure of cattle be received as evidence of the trespass, are they to be conveyed to the station to be produced before the Magistrate? because, if this be intended, the task of conveying them should be taken into account, and in some measure provided for—since it is, we under-

stand, by no means an uncommon thing, cattle sent, under the present system of pounding, to have been attacked on the road by assembled gangs of ruffians in the pay of the owner. Of this, blood-stied has been known as a consequence—so that the proposed act, by placing redress at such a distance, would go far to encourage and increase all ruffians already, from these and other causes, far too numerous. With regard to the penalty—the amount of limit affords far too wide a scope, for punishment to be of that general utility which is required by the wants of the people—for who is to assess the amounts of damage occasioned? Not the Magistrate certainly, for his duties demand his presence at a spot far too removed, in most cases, for his being able so to do, while any how, the valuation must vary according to the varying seasons of the year—since a crop destroyed at a time when it was early enough to re-sow, must bear a very different relative value to the same crop when its maturity, and the lateness of the season render the act of re-sowing impossible, and unless the penalty does bear some relative value, *respectively to the loss, of what use is the latitude allowed, or how will it restrain the evil?* The penalty, also, to be equitable, must hold some reference to the parties on whom it is to be inflicted. On the infirm, to whom we have already adverted as the ostensible party put forward, a fine of two Rupees even would be ruinous; whilst, to impose a trifling sum on the rich *Mundul* or *Gwalah* would be ridiculous, inducing him in all probability but to repeat the offence because of the cheap rate at which he has been suffered to commit it. Yet even this fine there would be no certainty of realizing as proposed, “by distress of property” as, in the one instance, it would be useless from the want of it; and in the other, sufficiently practical examples of failure are under our eyes to shew how easy it is, if not to evade the process altogether, by underhand means, to cause a delay in execution *ad infinitum*. Our space warns us to halt. Having now endeavoured to shew what we do not want in such an act, it is right we should set forth what we do; and this, bearing in mind that other matter demands direct attention we purpose explaining in our next issue.

—*Eastern Star*, Nov. 21.

Pursuant to promise, we now follow up the notice of the Trespass Act which appeared in the last issue of this paper. Having observed upon the manner in which the provisions of the Act may be nullified or evaded, and stated our opinion as to what was not required, our promise was to shew what we

really wanted to make the law more efficacious, both in spirit and in letter. Few systems, we think, can be devised so generally applicable, more efficacious, or more immediately operative on the evil, than the pounding, because, if properly and uniformly acted on, it would completely put a stop to trespass; but let it be carried out to the extent of having a legalizer found at every thoroughfare and farce throughout the country, where, on trespassing cattle being made known to the proper officer, they should be detained in the pound, and only released on payment of a moderate fine, over and above a certain fixed provision for their keep,—the half of such fine being given to the party injured by the trespass, and the other half to government for its protection. We have said a moderate fine, and really mean what we say—for we have always found that the only way of making the law produce its intended effect is by making penalties so moderate that no excuse can be pleaded for not inflicting them in full, at the same time causing the punishment to be as direct, and closely brought home to every individual, as the nature of the case will admit; and this, we think, may be fully accomplished, in the present instance by establishing pounds, under fixed rules, in every thanahadates division, and enforcing a payment of seven *annas* a head—a sum that even the poorest could, and would pay rather than sustain the loss of an animal worth from four to ten rupees—while the certainty of its infliction, when large herds (such as are driven by the servants of the rich, where it is an intention to trespass on a poorer, within an hour) would from the numbers, make the penalty a heavy one on these large proprietors, and passing by the servants would fall directly on the real offender. Should cattle, however, desert this moderate fine, be allowed to remain a long time in pound, they might, at the end of a month, or other fixed period, be sold by the pounding officer, in order to realize the amount of such penalty and keep. In proposing this, we have little doubt of being joined by the greater portion of the *Indigo* planters, and other cultivators, in the *Mohamud* district, whose opinions on the subject we have obtained; and some of whom, undoubtedly, it is true, but not less effectively, have for a series of years, resorted to this system of very considerable advantage. We are not for granted this system of repressing trespass will be held by all who take an interest in provincial matters, as far preferable to that proposed in the Act; so thoughtfully, and not

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...fifty or forty miles from the scene of the
...occurrence, and the liability to detention for
...indefinite period, awaiting the pleasure

...of the *Mosussil*. In confor-
...with a well established, tho'
...practical cultivators have far too much to do
...with station Courts, alike for themselves and
...for the authorities, and anything which went
...to increase this would greatly aggravate an
...existing evil, while every means of redress for
...injury sustained, that afforded occasion for
...lessening this contract would be deemed a
...boon, as much by the governing as the go-
...verned.—*Eastern Star*, Nov. 28.

AN ARMENIAN CASE DECIDED IN THE SUDDER DEWANY ADAWLUT.

To the Editor of the Calcutta Courier.

SIR,—I think it necessary to state for the
information of your readers that a certain
case, in which both the complainant and
defendant are Armenians, was lately tried
in the Sudder Dewany Adawlut, before Mr.
Bernardus Dick, one of the Judges of that
Court. It was first tried before the late Mr.
David Carmichael Smyth, who decided it
in conformity to immemorial usage, and in
reference to the opinion of the Dignitaries
of the Armenian Church, who were written
to and consulted on the subject. Mr. Dick,
however, has dismissed the case in conse-
quence of the Armenians not being subject
to any civil law of their own, with a recom-
mendation that it should be referred again to
the consideration of the Zillah Court in
Dacca, and thence to be tried by English law,
provided one of the Judges of the latter
Court coincided with him in his opinion. Now, if
it is so happy that Mr. Dick's recommendation
be finally adopted and carried into effect,
can you tell me, Mr. Editor, under what law
is this case to be tried in the *Mosussil*, in the
absence of Armenian civil law? It cannot
be generally admitted, that to try Chris-
tians, acknowledged to be British subjects,
by Mohammedan or Hindu law, involves the
highest degree of absurdity and cruelty.
What alternative is then left to Christian
subjects in matters of this kind? Why,
nothing more or better, in my humble opi-
nion, than a trial of English law! Suppos-
ing, however, that this or similar cases were
to be tried by English law in the *Mosussil*,
would I am persuaded be believed, by the
people, that the right of the lawful claimants,

humble and respectful Memorial to the
Right Honourable the Earl of Auckland, in
the Legislative Department, praying his
Lordship, *inter alia* to pass an enactment
that the Armenians should be tried by En-
glish law in the *Mosussil*, as now recommend-
ed by Mr. Dick. The prayer of the Memo-
rialists, touching this important point, runs
thus—"But in the Courts of the Company
no settled rule of law whatever has prevailed
in respect to inheritance and succession to
property of deceased Armenians. While
some of the Company's Judges follow the
course of the King's Courts, and adopt the
rules of English law, others hold themselves
bound to act upon their individual notion of
equity, pursuant to the terms of Regulation
III. of 1832, Section 9, and others bewilder
themselves in the vain endeavour to discover
the law of Armenia, of which there is no
trace extant, and refer to Armenian eccle-
siastical, whose legal knowledge, where they
have any, is limited to the bare rudiments of
the canon law." On the receipt of this
Memorial, his Lordship seeks for information
from the Judges of the Sudder Dewany
Adawlut, as to the manner adopted by them
in deciding cases, in which the appellants or
respondents happened to be Armenians.
The Judges respond to this call of his Lord-
ship by an answer No. 272, dated 27th
January 1837, through the then Register
Mr. Reid. The information or explanation,
rendered by the Judges in this instance,
is worded thus—"Whenever any exposi-
tion of the law of custom has been required
by the Court, in question of succession, mar-
riage and the like, it has been customary to
address a letter to the Bishop of the Arme-
nian Church, containing a statement of the
facts on which the question of law or custom
has arisen, and requesting the Bishop to
deliver his opinion upon it. His opinion,

...in the year 1834, the Armenian
...of Calcutta, as a body, presented

when received, has usually governed the Court in finally disposing of the case." From this, it will evidently be clear, Mr. Editor, that all cases, in which the parties were Armenians, have been tried and decided both in the Zillah Courts and in the Sudder Dewany Adawlut,—ever since the establishment of the latter,—in pursuance to the written or recorded opinion of an Armenian Bishop, if one happened to be present on the spot. I think it also necessary to state as a fact, that in the absence of an Armenian Bishop, the Vicar or superior priest of the Armenian Church has been, in like manner, consulted on the occasion of the exposition of the canon law and usage of the Armenians, and his opinion has equally guided the Judges in the final decision of similar cases.

It is, moreover, worthy of notice, that the Armenian inhabitants of Calcutta were favored with an answer to their Memorial, bearing date 6th March 1837, through the Secretary of the Government of India, in the Legislative Department. The third paragraph of this answer of the Governor General, I beg to quote here as most applicable to the subject of my present communication.—“With regard to the other points, touched upon in your Memorial. I am desired to state that the Governor General in Council has been in communication; through the Governor of Bengal, with the Court of Sudder Dewany Adawlut at the Presidency, from whose report it appears that every available means have been resorted to in order to discover the usage prevailing among Armenians in suits regarding succession, marriage and the like, arising among members of that community, and in the present unsettled state of the law it does not appear that any more equitable course can be followed.” The Armenians are also led to entertain a hope from another paragraph of the said answer to their Memorial, that at no remote time they, in common with all others, affected by the present unsettled state of the law, will be, to a great extent, relieved

Now, the Armenians residing within the pale of the Company's Court, cannot but be extremely gratified at being subjected to the English law. This, as stated above, they have, as a body, prayed their rulers to confer on them. This, when obtained, will tend to remove the difficulties, under which they are now laboring. This, if conferred on them, will be duly appreciated as a boon, and over remembered by them and their posterity, with the deepest gratitude! But, when or how in this long expected boon to be obtained? “*Hope deferred, sicketh the heart*”—says the old popular adage!

You must also be not unaware, that the introduction of the English law into the Zillah Courts, as strictly enjoined by the VII. Regulation of 1832, 9th Section of this Regulation, has been, and expressly stated that, “In all cases the decision shall be governed by the principles of justice, equity and good conscience; it being clearly understood, however, that this provision shall not be considered as justifying the introduction of any English, or any foreign law, or the application to such cases of any rules not sanctioned by those principles!”—Now, as long as this regulation is in force, as long as it is not rescinded or superseded by another new enactment or regulation, is it to be expected or maintained, Mr. Editor, that the Armenians will be subjected to English law in the Mofussil Courts, or that their cases must be decided in pursuance to English law? In the absence of a civil law of their own, and in the non-existence of the English law in the Mofussil, the Armenians, as fully stated above, must avail themselves of their canon law and usage. Even, if the introduction of the English law in the Zillah Courts be sanctioned by a legislative enactment; even, if a *loi* be enacted, upon the principles of the English law for the Armenians and other Christians residing within the pale of the Company's Courts, that law, in accordance with the declared opinion of the most eminent lawyers in this country, should only operate upon the future, and special provision should be made for the past!! The Armenians are living under a just, liberal and paternal Government, and are certainly considered to be the children of their adoption, and must feel assured that the protection of their rights and interests will never be neglected by their considerate rulers! And now supposing, Mr. Editor, that the English law is, under existing circumstances, about to be introduced into the Zillah Courts; pray, who are to expound English law in the Mofussil? Are the Mussulmans and Hindus qualified to become the expounders thereof? Certainly not! Are not the Judges of Sudder Dewany Adawlut, whose integrity of character, as public functionaries, cannot for a moment be questioned, capable of deciding cases of Armenian suits upon the principles of justice, equity and conscience, and the rules, regulations and practice of their Court? Are they not, repeat, qualified or competent to decide Armenian suits the benefit of their wisdom and conscientious decision, based upon facts and stubborn facts, without unnecessary referring back the matter and introducing the aid of Zillah Judges? Are they not to decide upon unimportant questions, and not upon

the source from whence the just and equitable decision of the worthy Judge of Sudder Dewany Adawlut! Are not these reasons public functionaries vested with full authority to administer justice in law? I need not pause for

SECTORIUS..

Calcutta, 22d November, 1841.

[Cal. Courier, Nov. 23.

Yesterday we inserted without comment a letter objecting to a decision of one of the Judges of the Sudder Dewany Adawlut. We have since had an opportunity to examine the case, and we fully agree with our correspondent in considering the decision erroneous. However, it is not yet too late to rectify the error, for his decision is not final until sanctioned by one of his brother judges, and we therefore address ourselves to the question more earnestly.

It is needless to enter into the merits of the case, for the only point upon which we have comment are the facts that the litigant parties—plaintiff as well as defendant—are Armenians. The cause came on before the District Judge, and from his decision an appeal was made to the Sudder Dewany Adawlut, and upon being heard by Mr. Justice Dick, he has decided that it should be sent back to the District Court to be decided by English Law.

Now we consider this recommendation, or rather we are to be rigorous on two very sufficient grounds, viz. the inconvenience and the illegality of such a procedure.

We are fully aware that in many cases it is necessary to send a suit to the Zillah Court where fresh evidence is required on points left unmentioned or imperfectly explained at the first hearing—but when the case is so clear that no such additional illumination is required, it is just as desirable—or rather more so—for the Judge to decide upon the equity of the case, than to refer it to the District Court. The inconvenience, the expense, the delay, the expense of such a procedure, are all to be avoided by the Judge deciding the case according to the principles of justice, equity and good conscience.

And certainly do not tend to raise the character of a Court, at present not very high in esteem with those who are compelled to resort thither.

But, moreover, the recommendation that the cause shall be taken back to the Zillah Court to be decided by English Law, is diametrically in the teeth of Regulation VII. of 1832, s. 9. This Section unequivocally directs that where one or more of the parties are neither of the Hindoo or Mahomedan religion, "the laws of those religions shall not be permitted to operate to deprive such party or parties of any property to which, for the operation of such Laws, they would have been entitled. In all such cases, the decision shall be governed by the principles of justice, equity and good-conscience; it being clearly understood, however, that this provision shall not be considered as justifying the introduction of the English, or any Foreign Law, or the application to such cases of any rules not sanctioned by those principles."

Now how the case of two Armenian parties, who certainly are not to be judged by either Hindoo or Mahomedan Law, and consequently are to have their cause decided "by the principles of justice, equity and good conscience," though this is not to justify this introduction of English Law, can be remitted to the Zillah Court with an express direction that they be judged according to English Law, appears to us not only incomprehensible, but illegal. We consider that these Armenian parties must have their cause determined upon what may appear to the Judge "the principles of justice, equity and good-conscience," and this the judges of the Sudder Dewany Adawlut are more likely to be able to determine than any single Zillah Judge.

The late Mr. D. C. Smyth decided this very case according to the usual mode by obtaining from the Armenian Bishop, or his Vicar, a certificate of the usage of the Armenians in such cases, and this is a nearer approximation to what is the course pointed out by the Regulation, for such certificate is founded on the Canon Law, that of Armenian being almost entirely lost. Yet still we consider that the judges in such cases of unknown absolute law had better adopt the dictates of that justice and equity which are universally applicable. But whichever may be the rule adopted, one thing appears quite clear, the direction to decide the case according to English law is illegal.—Calcutta Courier, Nov. 24.

We insert, in another column,* a portion of a report of an interesting case, tried in the Sudder Dewanny Adawlut, respecting the existence or non-existence of Armenian law. The plaintiff, in the suit, laid claim to the paraphernalia of her mother, according, as she alleged, to the Armenian law of inheritance. The defendant denied the justice of the plaintiff's claim, and pleaded, that there was no Armenian law extant, either in this country or in any other country, and that the Armenians, therefore, were guided in civil matters, by the English law. He cited witnesses under Act No. XXIII of 1810, whose testimony clearly bore him out in this defence. The sequel to the report, which consists of the examination of the vicar of the Armenian Church at Calcutta, and Mr. Abercromby Dick's judgment will be given hereafter. It appears from the judgment, that there is no law Armenian current in this country, or, indeed, in any other;—that questions of inheritance are referred to the Armenian prelate for his opinion;—and that, if either party be dissatisfied, the case is taken into the Mougul Courts of Justice, and decided according to Mogul Law. This mode of deciding judicial questions necessarily involves the utmost uncertainty and confusion, and the Armenian community are naturally anxious that the laws, to which their property and rights are subjected, should be placed on a more satisfactory footing. We consider that the matter demands the serious attention of the Legislative Council. The Armenian community forms a considerable and important class in this country, and numbers among its members many individuals of the highest respectability, wealth and influence. A sort of convention between the East India Company and the Armenian inhabitants of India of was entered into so long ago as June, 1688. By a Deedpoll un-

der the Company's seal, bearing date the 22^d of that month,* the United Company, in consideration of certain propositions on the part of Armenian merchants relative to the extension of the Armenian trade to India and Persia, bind themselves,—first, to grant equal advantages to Armenian and English merchants and adventurers;—secondly, to allow to the Armenians free liberty to “pass and repass to and from India in any of the Company's Ships on as advantageous terms as any freeman whatsoever;”—thirdly to permit them “to live in any of the Company's cities, garrisons or towns in India; to buy, sell and purchase lands and houses, and be capable of all civil offices and preferments in the same manner as if they were Englishmen born,” and to “have free and undisturbed liberty of the exercise of their own religion.” The Supreme Court upon one occasion decided that an Armenian Christian, living at Cossim-bazar, was a “British subject,” and therefore not amenable (at that period, A. D. 1791) to the jurisdiction of the Mofussil Courts. Under Macaulay's Act, giving the Company's Courts jurisdiction over suits between British subjects, the Armenian community of course are subject to those tribunals, and some provision ought unquestionably to be made for the regulation of the laws, by which questions between such parties are to be governed. It appears to be the unanimous wish of the Armenians themselves, that their rights should be subjected to the rules of English law. In 1830 a petition to this effect was presented to the Governor General in Council, and a reference was made by His Lordship in Council to the Court of Sudder Dewanny, upon the statements and prayer of the petition; but nothing further appears to have been done.—*Hur.* Nov. 25.

* See third part, under head of Sudder Dewanny Adawlut.

* An extract from this Deed is printed in the Appendix to Mr. Moulton's “Decisions of the Supreme Court,” p. 360.

